CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-FOURTH SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 7, 1901.

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

In conformity with law, the following officers were present: C. W. Kyle, Chief Clerk; R. Q. Wickham, Minute Clerk; W. O. Banks, Sergeant-at-Arms.

PRAYER.

Prayer by the Rev. George B. Allen.

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 Sergeant-at-Arms—Daniel McPartland.
Postmaster—Jules Voisinet.
Gatekeepers—J. J. Hall, J. Hocking, and H. H. Squires.
Pages—Emmett Rhoades, R. M. Rodgers, and Ralph Schluer.
Page to Speaker—R. Vidaver.

RESOLUTIONS.

By Mr. Johnson:

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

Adopted.

By Mr. Dunlap:

Resolved, That the members of the Assembly present themselves at the desk—ten at a time—to take the oath of office before Hon. J. W. Hughes, Superior Judge of Sacramento County, California.

Adopted.

OATH OF OFFICE.

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. J. W. Hughes, Judge of the Superior Court of the County of Sacramento:

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

First District—Del Norte and Siskiyou: T. J. T. Berry.
Second District—Humboldt: M. P. Roberts
Third District—Humboldt: B. H. McNeil
Fourth District—Tehama and Trinity: H. S. Gans.
Fifth District—Shasta and Modoc: J. A. Hubbard.
Sixth District—Lassen, Plumas, and Sierra: J. B. Irish.
Seventh District—Butte: B. Collins:
Eighth District—Yuba and Sutter: L. Schillig.
Ninth District—Mendocino: William Hanen
Tenth District—Colusa, Glenn, and Lake: T. J. Sheridan.
Eleventh District—Yolo: J. F. Chiles.
Twelfth District—Nevada: F. M. Rutherford.
Thirteenth District—Placer: F. A. Duryea.
Fourteenth District—El Dorado: S. W. Irving.
Fifteenth District—Amador: F. L. Stewart
Sixteenth District—Sonoma: F. A. Cromwell
Seventeenth District—Sonoma: W. F. Cowan.
Eighteenth District—Napa: E. L. Webber.
Nineteenth District—Solano. A. Anderson.
Twentieth District—Sacramento. G. L. Johnson.
Twenty-first District—Sacramento: L. F. Reeber.
Twenty-second District—Sacramento: W. W. Greer
Twenty-third District—Marin: J. W. Atherton.
Twenty-fourth District—Contra Costa: A. Williams.
Twenty-fifth District—San Joaquin: F. E. Dunlap.
Twenty-sixth District—San Joaquin: F. H. Kincaid.
Twenty-seventh District—Calaveras. W. C. Ralston.
Twenty-eighth District—San Francisco: C. R. Franklin
Twenty-ninth District—San Francisco: J. F. Collins.
Thirtieth District—San Francisco: George J. McLoughlin.
Thirty-first District—San Francisco: John J. Hourigan.
Thirty-second District—San Francisco: W. J. Evatt.
Thirty-third District—San Francisco: John Butler
Thirty-fourth District—San Francisco: E. D. Knight
Thirty-fifth District—San Francisco: E. F. Treadwell.
Thirty-sixth District—San Francisco: W. J. Guilfoyle.
Thirty-seventh District—San Francisco: Arthur G. Fisk.
Thirty-eighth District—San Francisco: B. Schlesinger.
Thirty-ninth District—San Francisco: F. D. Macbeth.
Fortieth District—San Francisco: H. A. Bauer.
Forty-first District—San Francisco: O. Sutro
Forty-second District—San Francisco: L. A. Henry.
Forty-third District—San Francisco: M. W. Brady.
Forty-fourth District—San Francisco: A. A. Cavagnaro.
Forty-fifth District—San Francisco: George C. Brown.
Forty-sixth District—Alameda: J. G. Mattos, Jr.
Forty-seventh District—Alameda: J. R. Knowland.
Forty-eighth District—Alameda: J. M. Kelley.
Forty-ninth District—Alameda: D. F. McWade
Fiftieth District—Alameda: J. A. Bliss.
Fifty-first District—Alameda: N. K. Foster.
Fifty-second District—San Mateo: H. W. Brown.
Fifty-third District—Santa Cruz: G. G. Radcliff.
Fifty-fourth District—Santa Clara. Eli Wright.
Fifty-fifth District—Santa Clara: George H. Anderson.
Fifty-sixth District—Santa Clara: George S. Walker
Fifty-seventh District—Stanislaus and Merced: J. W. Haley.
Fifty-eighth District—Tuolumne and Mariposa: N. C. Ray.
Fifty-ninth District—San Benito: Wm. Higby.
Sixtieth District—Alpine, Inyo, and Mono: C. H. Miller.
Sixty-first District—Monterey: F. P. Feliz
Sixty-second District—Fresno: W. F. Chandler
Sixty-third District—Fresno and Madera: M. Simpson.
Sixty-fourth District—Tulare and Kings: R. H. Myers.
Sixty-fifth District—Tulare: H. Levinson
Sixty-sixth District—Kern: J. W. P. Laird
Sixty-seventh District—San Luis Obispo: W. M. John.
Sixty-eighth District—Santa Barbara: C. W. Merritt.

Sixty-ninth District—Ventura: R M. Clarke.
Seventieth District—Los Angeles: W. S. Melick.
Seventy-first District—Los Angeles: H. A Broughton.
Seventy-second District—Los Angeles: W H. Savage
Seventy-third District—Los Angeles: F James.
Seventy-fourth District—Los Angeles: C. W. Pendleton.
Seventy-fifth District—Los Angeles: H. C. Carter.
Seventy-sixth District—Orange: D W. Hasson.
Seventy-seventh District—Riverside: A. S. Milice.
Seventy-eighth District—San Bernardino: C. H. G. Bennink.
Seventy-ninth District—San Diego: F. W. Barnes.
Eightieth District—San Diego: C. R Stewart.

RESOLUTION.

By Mr. Johnson:

Resolved, That the standing rules of the thirty-third session be and they are hereby adopted as the temporary rules of this Assembly until otherwise ordered, with the following changes, viz: That the figures "1901" shall be inserted in lieu of the figures "1899" wherever the latter figures occur.

Adopted.

ELECTION OF SPEAKER.

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

Mr. Broughton of Los Angeles nominated the Hon. Cornelius W. Pendleton of Los Angeles.

Mr. Fisk of San Francisco seconded the nomination of Mr. Pendleton.

Mr. Feliz of Monterey nominated the Hon. Frank James of Los Angeles.

Mr. Kincaid of San Joaquin seconded the nomination of Mr. James.

The roll was called, with the following result:

For Pendleton—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins of Butte, Collins of San Francisco, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schilig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Wright—59.

For James—Messrs. Cavagnaro, Chiles, Cowan, Feliz, Haley, Hubbard, Irving, Kincaid, Laird, Levinson, McLoughlin, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, Sutro, and Williams—19.

Mr. Pendleton having received a majority of all the votes cast, was declared elected Speaker of the Assembly for the thirty-fourth session of the Legislature.

APPOINTMENT OF COMMITTEE.

The Chief Clerk appointed as a committee of three to escort Mr. Pendleton to the chair, Messrs. Brown of San Mateo, Myers, and Johnson.

OATH OF OFFICE.

Mr. Pendleton was escorted to the desk, and took the following oath of office, administered by Hon. J. W. Hughes, Superior Judge of Sacramento County:

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

Speaker Pendleton in the chair.

Speaker Pendleton, on taking the chair, spoke briefly.

SPEAKER PRO TEM.

The Speaker announced that the next order of business was the election of Speaker pro tem.

Mr. Schillig nominated for Speaker pro tem. Hon. W. C. Ralston of Calaveras.

Mr. Sutro nominated for Speaker pro tem. Hon. Bert Schlesinger of San Francisco.

Mr. Dunlap seconded the nomination of Mr. Ralston.

Mr. Reeber seconded the nomination of Mr. Schlesinger.

The Speaker declared nominations closed.

The roll was called, with the following result:

For Ralston—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins of Butte, Collins of San Francisco, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—58.

For Schlesinger—Messrs Cavagnaro, Chiles, Cowan, Feliz, Haley, Hubbard, Irving, James, Kincaid, Laird, Levinson, McLoughlin, Miller, Ralston, Ray, Reeber, Sheridan, Simpson, Sutro, and Williams—20.

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

The Speaker appointed Messrs. Dunlap, Schlesinger, and Reeber a committee to escort Mr. Ralston to the desk to take the oath of office.

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 and the Constitution of the State of California, and will faithfully discharge the duties of Speaker pro tem. of the Assembly, thirty-fourth session of the California Legislature, to the best of my ability.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Speaker appoint a special committee to report rules for the government of the Assembly, said committee to consist of five members, one of whom shall be the Speaker.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Dunlap, Johnson, Ralston, and Schlesinger.

RECESS.

At one o'clock and fifteen minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until four o'clock and thirty minutes P. M.

REASSEMBLED.

The Assembly reconvened at four o'clock and thirty minutes P. M. Speaker Pendleton in the chair.

ELECTION OF CHIEF CLERK.

Nominations for Chief Clerk were declared in order.

Mr. John nominated Clio Lloyd of Santa Barbara.

Mr. Hubbard nominated J. J. Crowley of San Francisco.

The roll was called, with the following result:

For Lloyd—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Collins of Butte, Collins of San Francisco, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Walker, Webber, Wright, and Mr. Speaker—60.

For Crowley—Messrs. Chiles, Cowan, Feliz, Hubbard, James, Kincaid, Levinson, McLoughlin, Miller, Ray, Roberts, Schlesinger, Sheridan, Simpson, Sutro, and Williams—16.

Mr. Lloyd was declared elected Chief Clerk.

SERGEANT-AT-ARMS.

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

Mr. Henry nominated W. O. Banks of San Francisco.

Mr. Macbeth seconded the nomination of Mr. Banks.

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

For Banks—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—74.

Mr. Banks was declared elected Sergeant-at-Arms.

MINUTE CLERK.

Nominations for Minute Clerk were declared in order.

Mr. Carter nominated R. Q. Wickham of Los Angeles.

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

For Wickham—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76

Mr. Wickham was declared elected Minute Clerk.

RESOLUTION.

By Mr. Knowland:

Resolved, That the Chief Clerk, Sergeant-at-Arms, and Minute Clerk present themselves immediately at the desk and take the oath of office.

Adopted.

OATH OF OFFICE.

Pursuant to the resolution, Messrs. Clio Lloyd, W. O. Banks, and R. Q. Wickham appeared at the desk of the Assembly and took the following oath, administered by the Speaker:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office to which I have been respectively elected according to the best of my ability.

ADJOURNMENT.

At four o'clock and fifty minutes P. M., on motion of Mr. Johnson, the Assembly adjourned to two o'clock P. M. of Tuesday, January 8, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 8, 1901.

The Assembly met at two o'clock P. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fiske, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—80.

Quorum present.

READING OF JOURNAL.

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

INVITATION.

To the Assembly of the State of California:

A cordial invitation is extended to you to witness the ceremonies of the Electoral College of California, during which the ballots will be cast for President and Vice-President of the United States, at the State Capitol, Sacramento, Monday, January 14, 1901, at two o'clock P. M.

GEO. STONE,
Chairman Republican State Committee.

WM. M. CUTTER, Secretary.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the use of the Assembly Chamber be and the same is hereby granted

for the meeting of the Presidential Electors on Monday, January 14, 1901, at two o'clock P. M., and that the invitation to attend the ceremonies be and is hereby accepted;

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to provide chairs for the members of the Senate, Federal and State officials, and citizens for said occasion.

Adopted.

By Mr. Carter:

Resolved, That the Secretary of State be and he is hereby authorized and instructed to purchase for the use of the members of the Assembly eighty-five copies of Henning's Annotated Constitution of California, second edition, and deliver the same to the Chief Clerk, the same to be paid for out of the Contingent Fund of the Assembly.

Referred to Committee on Commissions and Public Expenditures.

By Mr. Radcliff:

Resolved, That a committee of three be appointed by the Speaker as a temporary Committee on Attachés, Contingent Expenses, and Mileage.

Adopted.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Radcliff, Henry, and Cowan as such committee.

RESOLUTIONS.

By Mr. Brown of San Mateo:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five ($25) dollars for contingent expenses as provided by law, payable out of the appropriation for the contingent expenses of the Assembly; and that the aggregate amount of the value of the stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Adopted.

By Mr. Henry:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to procure for each member of the Assembly, the Chief Clerk, Journal Clerk and Minute Clerk, three Keystone patent binders, and the Controller is authorized to draw his warrant on the Contingent Fund of the Assembly in payment for same, and the Treasurer is authorized to pay the same.

Adopted.

RECESS.

At two o'clock and twenty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess to two o'clock and fifty minutes P. M.

REASSEMBLED.

The Assembly reassembled at two o'clock and fifty minutes P. M. Speaker Pendleton in the chair.

COMMUNICATION.

To the Assembly of the State of California:

I hereby nominate H. S. Wanzer, James Oliver, Clark Alberti, and L. A. Hilborn as Assistant Clerks, and ask you to elect the same.

CLIO LLOYD, Chief Clerk.

Mr. Kelley moved that the Assembly approve of such appointments.

The roll was called, and the nominations confirmed by the Assembly by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro,

Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—73.

NOES—None.

RESOLUTION.

By Mr. Kelley:

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, said appointments to date from and include the 7th day of January, 1901. And the State Controller is hereby authorized and directed to draw his warrant upon the said fund in favor of the said following-named persons for the said per diem, and the State Treasurer is hereby authorized and directed to pay the same:

James Meredith	Assistant Sergeant-at-Arms	$5 00
F. McNamara	Clerk to Sergeant-at-Arms	5 00
I. Wertheimer	Bookkeeper to Sergeant-at-Arms	5 00
Amos Broughton	Assistant Minute Clerk	6 00
Thomas K. Carr	Assistant Minute Clerk	6 00
R. L. Dempsey	Journal Clerk	6 00
Jeremiah Lucey	Assistant Journal Clerk	5 00
L. F. Stinson	Engrossing and Enrolling Clerk	6 00
J. Kuester	Assistant Engrossing and Enrolling Clerk	5 00
Stanley Moorhead	Assistant Engrossing and Enrolling Clerk	5 00
John Mott	File Clerk	6 00
James Brady	Bill Filer	4 00
C. F. Redwall	Bill Filer	4 00
A. C. Jennings	Bill Filer	4 00
W. J Bigger	Bill Filer	4 00
Rev. C. P. Wilson	Chaplain	4 00
Ida Thomas	Postmistress	4 00
Alice Burns	Assistant Postmistress	4 00
L. Brady	Mail Carrier	3 00
Eddie Roeder	Page	2 50
W. J. Evatt, Jr.	Page	2 50
Emmett Rhoads	Page	2 50
James Hourigan	Page	2 50
Deane W. Hassen	Page	2 50
F. J. Swears	Page	2 50
Charles Fisk	Gatekeeper	3 00
Thomas P. Stewart	Gatekeeper	3 00
Fred Pierce	Gatekeeper	3 00
A. Davis	Doorkeeper	3 00
William Barry	Gallery Doorkeeper	3 00
Robert G. Smith	Messenger to Printer	3 00
Percy Hight	History Clerk	6 00
Rolla Fuller	Bill Clerk	4 00
Walter Robertson	Assistant Bill Clerk	4 00
J. Breen	Assistant Bill Clerk	4 00
F. B. Grant	Assistant Bill Clerk	4 00
F. T. Bartlett	Assistant Bill Clerk	4 00
Robert Crowley	Committee Clerk	4 00
John Daley	Committee Clerk	4 00
E. Clark	Committee Clerk	4 00
Charles Klinkner	Committee Clerk	4 00
W. B. Reynolds	Committee Clerk	4 00
S. Tombs	Committee Clerk	4 00
Axel Johnson	Committee Clerk	4 00
	Committee Clerk	4 00
J. C. Bates, Jr.	Committee Clerk	4 00
Frank Storer	Committee Clerk	4 00
W. F. Erchbacher	Committee Clerk	4 00
M. Garibaldi	Committee Clerk	4 00
J. S. Chambers	Committee Clerk	4 00
W. S. Hickman	Committee Clerk	4 00
T. Bassety	Committee Clerk	4 00
Joseph Myrick	Committee Clerk	4 00
Ed. Skelly	Committee Clerk	4 00
E. J. Shay	Committee Clerk	4 00
W. A. Brown	Committee Clerk	4 00
E. M. Treadwell	Committee Clerk	4 00

C. E. Walling	Committee Clerk	$4 00
C. L. Seavey	Committee Clerk	4 00
Edwin Hahn	Committee Clerk	4 00
Hiram Hopkins	Committee Clerk	4 00
D. M. Noble	Committee Clerk	4 00
David Creamer	Committee Clerk	4 00
J. M. Magee	Committee Clerk	4 00
Thomas Kendrick	Committee Clerk	4 00
E. J. Dwyer	Committee Clerk	6 00
William Zambreski	Committee Clerk	6 00
A. D. Shaw	Stenographer	5 00
S. H. Garrett	Stenographer	5 00
H. F. Bridges	Stenographer	5 00
Herman de Laguna	Stenographer	5 00
L. O'Neil	Stenographer	5 00
	Stenographer	5 00
George Ashley	Porter	3 00
George Brown	Porter	3 00
Thomas Scott	Porter	3 00
J. H. Howell	Porter	3 00
F. T. McClellan	Porter	3 00
William Blakeley	Watchman	3 00
Cornelius Gould	Watchman	3 00
John Costre	Watchman	3 00
F. J. Sweeney	Sergeant-at-Arms to Judiciary Committee	3 00
George P. Merritt	Sergeant-at-Arms to Ways and Means Committee	3 00
	Fireman	3 00
	Engineer	4 00

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

NOES—Mr. Chiles—1.

APPOINTMENT OF PAGE.

The Speaker appointed R. Vidaver as Page to the Speaker.

COMMUNICATION.

To the Assembly of the State of California

I hereby nominate I. Wertheimer for appointment as Bookkeeper to the Sergeant-at-Arms of the Assembly, and respectfully ask your consent to the same.

WM. O. BANKS, Sergeant-at-Arms.

The roll was called, and the recommendation approved by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—72.

NOES—None.

RESOLUTION.

By Mr. Brown of San Mateo:

Resolved, That each of the elected officers of the Assembly as now appear on the

records be and they are hereby requested to appear before the bar of the Assembly and take the oath of office.

Adopted.

OATH OF OFFICE.

The above officers and attachés were called to the Speaker's desk and sworn.

RESOLUTIONS.

By Mr. Irish:

Resolved, That the Chief Clerk be and he is hereby instructed to notify the Senate that the Assembly is now duly organized and is ready to proceed with the business of the State, having elected the following officers:

Speaker—C. W. Pendleton.
Speaker pro tem.—W. C Ralston.
Chief Clerk—Cho Lloyd.
Sergeant-at-Arms—W O Banks.
Minute Clerk—R. Q. Wickham.
And other officers and attachés as required by statute, and awaits their pleasure for legislative business.

Adopted.

By Mr. Anderson of Solano:

Resolved, That a committee of three be appointed by the Speaker to wait upon the Governor to 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 Messrs. Anderson of Solano, Ralston, and James.

RESOLUTION.

By Mr. Gans:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to hire a box at the Sacramento postoffice for the use of the Assembly, the rent for which shall be payable out of the appropriation for the contingent expenses of the Assembly.

Adopted.

At three o'clock and thirty minutes P. M. Mr. Ralston took the chair.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1901.

MR. SPEAKER. Your Special Committee on Rules recommend the adoption of the following as the rules of the Assembly:

DUNLAP, Chairman
JOHNSON.
RALSTON.
SCHLESINGER.
PENDLETON, Speaker.

STANDING RULES OF ASSEMBLY.

1. *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 6, 1901, 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.

2. *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 General File and Third Reading of Bills.

3. *Reports of Committee on Enrolled and Engrossed Bills.*

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

4. *Messages from the Governor and Senate.*

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

5. *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.

6. *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 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.

7. *Introduction of Bills by Committee.*

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper Second-Reading File. 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

8. *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; *provided*, that the fact that the bills are identical shall be entered in the Journal.

9. *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.

10. *Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole*

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

11. *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.

12. *Referring With Special Instructions.*

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

13. *Order of Making File.*

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. 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 the committees 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 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 were filed, and specifying the alterations arising from the disposal of business each day.

14. *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.

15. *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.

16. *Engrossing and Enrolling Bills.*

The Engrossing and Enrolling Clerk shall engross and enroll, the bills which shall come to his hands for such purposes, 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. Said Clerk 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.

17. *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.

18 *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 the 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.

19. *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.

20. *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

21. *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.

22. *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.

23. *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.

24 *Fees of Sergeant-at-Arms.*

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and releasement, one dollar; and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or releasement of members under a call of the House, within the limits of the Capitol grounds All fees accruing to the Sergeant-at-Arms for 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.

25. *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.

26. *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 five members.
4. A Committee on Census and Apportionment, to consist of eleven members
5. A Committee on Claims, to consist of seven members
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.
8. A Committee on Contested Elections, to consist of seven members
9. A Committee on Corporations, to consist of nine members
10. A Committee on Counties and County Boundaries, to consist of five members.
11. A Committee on County and Township Governments, to consist of thirteen members.
12. A Committee on Dairies and Dairy Products, to consist of nine members.
13. A Committee on Election Laws, to consist of seven members.
14. A Committee on Education, to consist of seven members.
15. A Committee on Engrossment and Enrollment, to consist of seven members.
16. A Committee on Fruit and Vine Interests, to consist of seven 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 Irrigation, to consist of nine members.
20. A Committee on Judiciary, to consist of twenty-one members
21. A Committee on Labor and Capital, to consist of seven members.
22. A Committee on Manufactures and Internal Improvements, to consist of seven members.
23. A Committee on Mileage, to consist of five members.
24. A Committee on Military Affairs, to consist of seven members.
25. A Committee on Mines and Mining Interests, to consist of nine members
26. A Committee on Municipal Corporations, to consist of seven members.
27. A Committee on Public Buildings and Grounds, to consist of eleven members
28. A Committee on Public Health and Quarantine, to consist of seven members
29. A Committee on Public Lands and Forestry, to consist of five members.
30. A Committee on Public Morals, to consist of nine members
31. A Committee on Public Printing, to consist of seven members.
32. A Committee on Public Works, State Capitol, and Parks, to consist of seven members
33. A Committee on Revision and Reform of Laws, to consist of eleven members.
34. A Committee on Roads and Highways, to consist of eleven members
35. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
36. A Committee on State Hospitals and Asylums, to consist of eleven members
37. A Committee on State Library, to consist of five members.
38. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
39. A Committee on Swamp and Overflowed Lands and River Improvements, to consist of nine members
40. A Committee on Ways and Means, to consist of eleven members.

27. *Committees to be Appointed by Speaker.*

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

DUTIES OF COMMITTEES.

28. *On Contested Elections.*

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates 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.

29. *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.

30. *On Commissions and Public Expenditures.*

It shall be the duty of the Committee on Commissions 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.

31 *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.

32 *On Census and Apportionment.*

It shall be the duty of the Committee on Census and Apportionment to take into consideration all petitions, bills, resolutions, and other matters touching the census and apportionment of the political subdivisions of the State of California as shall or may be presented or come into question and be referred to it by the Assembly.

33. *On Revision and Reform of the Law.*

It shall be the duty of the Committee on Revision and Reform of the Law to take into consideration all petitions, bills, and resolutions touching the revision and reform of existing laws of the State of California as shall or may be presented or come into question and be referred to it by the Assembly.

34. *Committee Expenditures.*

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

35. *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.

36. *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 time of speaking, and except that the ayes and noes shall not be taken.

37. *Motion to Rise Decided Without Debate.*

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

38. *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.

39. *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.

40 *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.

41 *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. No member shall be allowed to speak more than thirty minutes upon any question, except by leave of the House

42. *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

43 *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.

44 *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.

45. *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.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means That committee shall report upon any such concurrent resolution not later than the next legislative day, and with regard to the status of the General Appropriation bill and the tax levy.

46. *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 day certain; 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.

47. *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.

48. *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; *provided*, that after the previous question shall

have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto

49. *Previous Question Demanded.*

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

50. *Question Indefinitely Postponed.*

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

51. *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.

52. *Substitute.*

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

53. *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.

54. *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.

55. *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.

56. *Printing of Maps*

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

57. *Filling Blanks.*

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

58. *Priority of Business.*

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

59. *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.

60. *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.

No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

61. *Elections by House.*

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

62. *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.

63. *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.

64 *Voting on Question When Interested.*

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

65 *Division and Count of House.*

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

66. *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.

67. *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 door 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.

68. *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 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and shall be enforced by the Speaker

69 *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

70 *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

71 *Smoking in Hall*

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

72. *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.

73. *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.

74 *Fees for Witnesses.*

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

75. *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.

76. *Fees Allowed in Cases of Contest.*

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

77. *Supervision of Attachés.*

The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively

The Sergeant-at-Arms, or Assistant Sergeant-at-Arms under direction of the Sergeant-at-Arms, shall have supervision of the gatekeepers, porters, mail clerks, pages, bill clerks, and file clerks, and shall assign them to their respective places and duties (except the page to the Speaker, who shall be under the exclusive supervision of the Speaker). The Sergeant-at-Arms shall direct such attachés in the discharge of their duties, and shall report them to the Speaker for any neglect of duty.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

78. *Introduction of Bills after Fiftieth Day.*

On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill

When a motion for leave to introduce a bill fails to receive the requisite two-thirds vote required by the Constitution, such bill shall not be again offered.

Referred to Committee on Rules and Regulations, to be considered immediately after the reading of the Journal to-morrow morning.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Mr. Johnson was granted unanimous consent to introduce bill out of order.

By Mr. Johnson: Assembly Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

Read first time, and referred to Committee of Whole House.

Mr. Kelley was granted unanimous consent to introduce bill out of order.

By Mr. Kelley: Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read first time, and referred to Committee of Whole House.

RESOLUTIONS—(OUT OF ORDER).

Mr. Milice was granted unanimous consent to introduce Assembly joint resolution out of order.

By Mr. Milice:

ASSEMBLY JOINT RESOLUTION No. 1.

WHEREAS, The quarantine which this State has maintained against the introduction of insect pests and plant diseases has been of immeasurable benefit to our horticultural and agricultural interests; and

WHEREAS, There is now before Congress a bill which was introduced by Hon. Mr. Wadsworth, and is entitled "H. R. Bill No. 96," and which bill provides for a national quarantine against such pests and plant diseases; and

WHEREAS, The operation of this bill would be very beneficial to the horticultural interests, and especially to the citrus fruit industry; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully, but urgently, request the Congress of the United States to enact said bill ("H. R. No. 96") at its present session, thereby securing to our horticultural interests immunity from further insect enemies and to the citrus fruit-growers freedom from the introduction of the orange fruit maggot.

Resolved, That the Chief Clerk of the Assembly be directed to immediately telegraph these resolutions to the Honorable President of the Senate and the Honorable Speaker of the House of Representatives of the United States.

Referred to Committee on Public Health and Quarantine.

At three o'clock and forty-five minutes P. M. the Speaker resumed the chair.

MESSAGE FROM THE GOVERNOR.

Mr. Treadwell moved to take up message from the Governor.

Pending the reading of the message Mr. Anderson of Solano moved that the further reading be dispensed with, and the same be printed in the Journal.

So ordered.

FIRST BIENNIAL MESSAGE OF GOVERNOR HENRY T. GAGE TO THE LEGISLATURE OF THE STATE OF CALIFORNIA.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 7, 1901.

To the Senate and Assembly of the State of California:

GENTLEMEN: In presenting to your honorable bodies the suggestions in this first biennial message of my administration, I am most deeply moved by my sense of public duty and public responsibility.

We all have in view the public weal, but as your powers are the highest and most extensive under the Constitution, I confide in your integrity and ability that when public duty demands I may receive from your honorable bodies ready and responsive assistance.

CAREFUL EXAMINATION OF ALL BILLS BY THE LEGISLATORS A PUBLIC DUTY.

The evil of an individual, as a general rule, affects him alone, for his power of injuring the few around him can be summarily restrained; but the wrong of a bad law affects the whole community, and its poison may spread before discovery, and the injury may be irreparable, though afterward annulled by a decision of a court or repealed by an act of a future Legislature.

Hence it becomes your duty not to rely upon the Executive, with his limited assistance, for a remedy by way of veto, but you should carefully scrutinize each measure introduced, both in committee and in the house. Your familiarity with the history of bills and your opportunity of hearing discussions thereon give you an advantage,

for this purpose, over the Executive. Nor should you rely exclusively upon the mere reports of committees. It often happens that the hard-worked members of committees have little or no opportunity for a thorough examination of an obnoxious measure, and only approve it through courtesy, and the house, in turn, relies upon the mere formal approval of such committee.

THE EVIL OF LEGISLATIVE BARGAINS.

My confidence in the integrity of the representatives selected by the people is such that I have never harbored a fear that any of the splendid representative bodies, of whatever party, who have met at this capital, would consciously tolerate a wrong against the people of the State.

It is, however, a significant fact that where many able and honorable men meet as legislators, having necessarily variant views as to prudence and economy in the expenditure of public money, there compromises and trades are made, resulting in unconscious extravagance through excessive appropriations.

Experience in office since my inauguration has confirmed the view which I then took with respect to legislative trading, and I beg leave to repeat the following words from my Inaugural Address:

"In the heat of legislative business, agreements have been made with fellow legislators having other measures to be passed, by which votes have been exchanged, and thereby excessive appropriations have passed both houses. On account of this system of bartering in votes, and the facility with which large appropriations have been obtained, the officers of these public institutions have become reckless and prodiga' in the expenditure of public money."

I again advise against such legislative trading.

THE PEOPLE DEMAND ECONOMY

While you are assembled, among other things, for the purpose of legislating and providing appropriations for the maintenance of the several institutions of the State, the people demand that the law-making power be exercised with circumspection and economy; hence over-legislation is an evil in this regard, as well as direct waste in the expenditure of the State's funds.

Commenting upon the subject of over-legislation, Alexander Hamilton, in one of the numbers of the "Federalist," wrote as follows:

"It poisons the blessing of liberty itself. It will be of little avail to the people that the laws are made by men of their own choice, if the laws be so voluminous that they cannot be read, or so incoherent that they cannot be understood; if they be repealed or revised before they are promulgated, or undergo such incessant changes that no man, who knows what the law is to-day, can guess what it will be to-morrow. Law is defined to be a rule of action, but how can that be a rule, which is little known, and less fixed?"

The wisdom of these observations of that eminent statesman will doubtlessly meet with your approval. In addition to the policy of avoidance of over-legislation, your constituents are intensely interested in the prudent management of the State's income.

The legislative power to appropriate and expend the public money is a most solemn trust. This power, when prudently exercised, gives vitality to the State, but when that power is so used as to result in extravagance and waste, thereby burdening the people with unnecessarily high taxes, such misuse of the power is the worst form of tyranny.

PRESENT NEED FOR ECONOMY—CONSTITUTIONAL AMENDMENTS.

The people at the last general election adopted Assembly Constitutional Amendment No. 6, exempting from taxation all buildings and real property upon which the same are situated used exclusively for religious worship, also Assembly Constitutional Amendment No. 23, exempting from taxation the trusts and estates created for the founding, endowment and maintenance of the Leland Stanford Junior University; and further adopted Assembly Constitutional Amendment No 14, exempting from taxation all property now or hereafter belonging to "The California School of Mechanical Arts."

The exemption from taxation of so much property will necessarily throw the burden upon the remaining property now subject to taxation; hence the State rate of taxation will necessarily be somewhat higher, unless the strictest economy be exercised.

In order to prevent this increase in the State tax rate, I most urgently appeal to you to exercise such economy as is compatible with the necessities of each case, by preventing the passage of excessive appropriations, and of laws creating unnecessary offices, with their incidental charges against the State.

I would likewise suggest that the number of employés in your honorable bodies be reduced to a useful minimum, so that this Legislature may surpass by its economy and efficiency all previous Legislatures, not only because it is your public duty so to do, but as well for the honor which it will bring to you all as legislators, and for the credit it will afford to the party which has nominated and elected a majority of your members, upon the pledge of an economic and able administration.

APPROPRIATIONS SHOULD NOT BE MADE PAYABLE IMMEDIATELY.

I beg leave to repeat my advice, which my experience in office has confirmed, given in my Inaugural Address, where I used the following language:

"Another mistake on the part of legislators has been to make all appropriations

payable immediately out of the General Fund, instead of authorizing such payments to be made, as they should be, at least six or ten months thereafter out of future revenue receipts. Such mistaken policy depletes the treasury by adding to the existing demands the amounts of such new appropriations. This is a grave financial wrong. By this improper practice the money in the General Fund, which ought only to be expended for the payment of justly accrued demands, is diverted from its purpose, so that a transfer of money from special funds is required to make up the deficit, it being necessary afterward to reimburse such special funds from the tax receipts of the next fiscal year. This system is not only unwise, but not warranted by good governmental policy Each fund should remain intact, to be devoted to the special purposes authorized by law. The State, as well as each department of it, should live within its actual means."

The revenues for the year 1901 will not be available until after January 1, 1902; hence all appropriations other than those necessary for the actual conduct of the State government, which are usually embraced in the general appropriation act, should be made payable out of such future revenues.

This plan, as suggested by me and adopted by the Legislature in 1899, enabled the administration to conduct the State affairs without adopting the method pursued by many of my predecessors of transferring money from special funds to meet accrued demands against the General Fund.

NECESSITY FOR THE EXCLUSION OF CHINESE AND JAPANESE LABORERS.

The people of California, from their experience in the past, and in view of their prominent seacoast position with respect to the ports of the Orient, have reason to dread the immigration of Chinese and Japanese laborers into this State, a fear justly founded and shared in by the American workmen of other States It is essential, therefore, that American labor shall be protected against competing Mongolian labor. Our tariff laws, while protecting the products of labor, require as a supplement the exclusion of Chinese and Japanese laborers.

The party, both National and State, which has nominated the majority of your honorable bodies, is pledged to the protection of American labor, and I am satisfied that our great President is wholly in sympathy with every measure, and is determined to maintain American labor at its high standard of skill and intelligence, and to assist in the making of all treaties and the approval of laws which will protect that labor from foreign competition.

On May 5, 1892, an Act of Congress, entitled "An Act to prohibit the coming of Chinese persons into the United States," was approved, which Act was, in addition to previous Acts of Congress, intended to more effectually exclude the immigration of Chinese laborers. By the terms of this Act the law is continued in force for the term of ten years from its passage, so that Act will expire in May next year (1902).

A convention concerning the subject of emigration between the United States of America and the empire of China was concluded and signed by the respective plenipotentiaries at the City of Washington, D C., on March 17, 1894, and ratifications exchanged at the same city on December 7, 1894, by the terms of which convention, among other things, China agreed to the exclusion from the United States of further Chinese laborers, and also assented in direct terms to the enforcement of the provisions of the Act of Congress of May 5, 1892, as amended by an Act approved November 3, 1893

By Article VI of this convention it is provided as follows: "This convention shall remain in force for a period of ten years, beginning with the date of the exchange of ratifications, and if six months before the expiration of said period of ten years neither government shall have formally given notice of its final termination to the other, it shall remain in full force for another like period of ten years."

It will be perceived from the above language of Article VI that the convention is terminable by either of the nations, provided six months' notice be given before the expiration of ten years, so that in December, 1904, there is a possibility of this convention being terminated by the action of China But there is another feature of the convention which may require action on the part of the United States before the expiration of the period limited which might require a revision of its terms

Article I of the said convention reads as follows: "The High Contracting Parties agree that for a period of ten years, beginning with the date of the exchange of ratifications of this convention, the coming, except under the conditions hereinafter specified, of Chinese laborers to the United States shall be absolutely prohibited."

Since December 7, 1894, the date of the exchange of ratifications, we have acquired additional territory, both by annexation and war. Questions of the rights and privileges of subjects of China, while in the Philippines and the other islands acquired from Spain, may arise, and contentions by the Chinese diplomats are possible that inasmuch as the contracting parties had not in view future territory conquered or acquired by the United States of America, but only the United States as then bounded and known, and that when the United States assumed the sovereignty which Spain abdicated in its favor, this republic took that territory subject to the obligations which Spain owed to the Empire of China Whether this possible plea be specious or not, it at least might pave the way for international discussion. To avoid all questions, therefore, Acts of Congress are necessary to be passed in order to afford protection to American labor, and the convention with China should be so revised as to cover beyond all question every part of the territory of the United States

The peril from Chinese labor finds a similar danger in the unrestricted importation

of Japanese laborers The cheapness of that labor is likewise a menace to American labor, and a new treaty with Japan for such restriction as well as the passage of laws by Congress is desired for the protection of Americans

I therefore most earnestly appeal to your honorable bodies for the passage, as a matter of urgency, of appropriate resolutions instructing our Senators and requesting our Representatives in Congress for the immediate institution of all proper measures leading to the revision of the existing treaties with China and Japan, and the passage of all necessary laws and resolutions for the protection of American labor against the immigration of Oriental laborers.

BUBONIC PLAGUE SCARE.

The year 1900 began most prosperously for the people of this State, with the adjustment of the affairs of the different islands won by American valor and diplomacy from the kingdom of Spain. The rains of the preceding winter had allowed our farmers and fruit-growers to garner full crops, and the merchant and manufacturer, owing to the free communication with the Philippines, exhibited business activity, and a most profitable harvest was presaged for the people of the State At this most favorable juncture for our people a fearful shadow was cast upon our State through the recklessness of certain city officials of San Francisco, assisted by a Federal officer, one Doctor Kinyoun

Intimations were thrown out in the months of March and April last that the dreadful bubonic plague existed in the Chinese quarter of San Francisco. Secret consultations and alleged investigations were had by said city officials, in conjunction with the said Federal quarantine officer, and the result of such alleged investigations was that the Surgeon-General of the United States Marine Hospital at Washington was informed by some of these ill-advised persons that the terrible plague was epidemic in the city of San Francisco. Theretofore cultures and slides containing genuine plague bacilli were imported into the State, and such cultures and slides were carried by certain physicians and others in their pockets while riding in cars and stopping at hotels and other public places.

Efforts were made by the said city officers to remove the Chinese from their quarters in San Francisco to Mission Rock, and the Chinese Consul of San Francisco communicated this attempted violation of the treaty rights to the United States Secretary of State, through the Chinese Minister at Washington.

During the course of these events a few sensational newspaper organs, like carrion birds, scented the subject, and boldly espoused the cause of the plague creators, publishing daily sensational accounts of suspected cases, and declaring them to be cases of plague. In the latter part of May, and until about the middle of June, I spent some weeks in San Francisco, ably assisted by Hon. Daniel Kevane, Secretary of the Board of Examiners, and also by most eminent local physicians and bacteriologists, as well as by distinguished and level-minded citizens, in a careful, fair, and full examination of the matter. After a most impartial examination, in which I sought to be apprised of every fact from reliable sources which would tend to throw light upon the subject, I finally became convinced beyond doubt that the bubonic plague did not exist, and had not existed, notwithstanding the alarming reports to the contrary.

Could it have been possible that some dead body of a Chinaman had innocently or otherwise received a post-mortem inoculation in a lymphatic region by some one possessing the imported plague bacilli, and that honest people were thereby deluded?

On May 31, 1900, while in San Francisco conducting such investigation, I received a dispatch from His Excellency John Hay, Secretary of State at Washington, inquiring if the plague really existed, and requesting me to report at an early opportunity. I replied immediately that I was then investigating the matter, and would report as quickly as possible.

Thereafter, upon the 13th of June, 1900, my labors, occupying weeks, were completed, the different medical views maturely considered, and I was satisfied beyond all reasonable doubt that the bubonic plague had not been in the Chinese quarter of San Francisco nor in any other part of the city, nor in any part of the State.

I thereupon transmitted to His Excellency John Hay the following dispatch, which was signed and concurred in by the distinguished medical authorities and by the prominent citizens whose names appear below, to wit:

SAN FRANCISCO, June 13, 1900.

"*To His Excellency* JOHN HAY, *Secretary of State, Washington, D. C.*

"SIR—In reply to your telegram of date May 31, I have the honor to report:

"*First*—That no case in San Francisco or California has been diagnosed as bubonic plague by any attending physician while the victim was alive, nor by the attending physician after death. In some of the suspected cases death has occurred when no regular physician was in attendance. There have been in all only eleven suspected cases among a population of 35,000 Chinese (15,000 of whom are quarantined), and no cases among whites and other races. The examinations made after death of the bodies of the suspected cases since the alleged discovery of the disease, more than three months ago, fail to furnish satisfactory proof of plague.

"*Second*—That the quarantined district contains upward of 15,000 Chinese subjects, 3,500 of whom are unable to support themselves by virtue of the quarantine.

"*Third*—That full and fair investigation has been denied the physicians of the Chinese by the City Board of Health

"*Fourth*—That the Chinese were forced to appeal to the courts, and were then accorded the right of investigation into the cause of death of the dead suspects

"*Fifth*—That since the procurement of the order of court, granting privilege to the white physicians of the quarantined Chinese to visit the sick and be present and take part in autopsies had, neither the City Board of Health nor Federal officers have been able to discover any bubonic plague case, dead or alive.

"*Sixth*—That there has been no epidemic in Chinatown.

"*Seventh*—That the municipal records show the proportion of deaths in Chinatown has been no greater than that of any other portion of San Francisco since the date of the discovery of the alleged plague in Chinatown.

"*Eighth*—That I cannot find proof that the plague alleged to be here is either infectious or contagious. I find no proof that any person has contracted it from another: and I further find that certain individuals who have been repeatedly exposed at autopsies and elsewhere to the alleged plague, and others who have moved about in the houses and rooms where the suspects expired, having done so without taking any precaution whatever against the supposed malady, have neither contracted the same nor spread the disease elsewhere

"*Ninth*—That no two persons of the same family have contracted the disease, and that no two cases have occurred within the same house or building, no matter how great the exposure may have been.

"*Tenth*—That the medical gentlemen and experts of the City Board of Health and the Federal quarantine officers who have ventured the injurious opinions which have spread broadcast over the world the rumor of the existence of the dreadful plague in the great and healthful city of San Francisco have never seen a living case of plague; whereas, some among the physicians, surgeons and scientists with whom I have advised have had personal experience and wide opportunities in observing bubonic plague when it was raging in India and elsewhere, and they all pronounce the suspected cases here not bubonic plague

"*Eleventh*—From the best light I have been able to procure, and from a most careful consideration of the whole subject, I am pleased to inform Your Excellency that I firmly believe no case of bubonic plague has at any time existed within the borders of our State

"*Twelfth*—That if the cases referred to were genuine plague, even then the quarantine as conducted by the City Board of Health, in conjunction with the Federal quarantine officer, is discriminating against the Chinese, and also unreasonable, according to information derived from the highest authority here obtainable

"*Thirteenth*—It is undetermined by the court whether the injunction referred to has been violated.

"*Fourteenth*—Since the report to Your Excellency involves, among other things, the question whether there is plague in Chinatown, and also vitally touches the commercial and other interests of San Francisco, as well as deeply concerns the welfare of the entire State, I have deemed it my duty to call into consultation distinguished physicians, surgeons and bacteriologists, able financiers and business men and others, as well as my eminent predecessor in office, the Hon. James H. Budd, some of whose names are, therefore, in concurrence hereto attached.

"HENRY T. GAGE.

"We concur in the foregoing conclusion that bubonic plague does not exist, and has not existed, within the State of California.

"Physicians of the Regular School: L. C. Lane, President Cooper Medical College, C. N. Ellinwood, M.D., Professor Cooper Medical College; Winslow Anderson, M.D., M.R.C.P. Lond., M.R.C.S. Eng., President College of Physicians and Surgeons of San Francisco

"Physicians of the Homeopathic School. Edwin S. Breyfogle, M.D

"Bankers, Merchants, Etc: Levi Strauss, President of Levi Strauss & Co; James H. Budd, former Governor of California, Wm. Alvord, President of Bank of California; Robert J. Tobin, Hibernia Savings and Loan Society; Adam Grant, of Murphy, Grant & Co.; Lewis Gerstle, President Alaska Commercial Company; Isaias W. Hellman, President Nevada National Bank; Henry F. Fortmann, President Alaska Packers Association; A. B. Spreckels."

Many other eminent bacteriologists and physicians whose names are not attached to said report participated in this most important investigation, reached similar conclusions, and concurred in the findings of the foregoing telegram

While these events were transpiring, the City Board of Health of San Francisco had already quarantined the Chinese district, but a test case having been heard in the United States Circuit Court before the Hon. W. W. Morrow, Judge thereof, the city quarantine was held illegal by a decision rendered June 15, 1900. In the course of this decision the eminent Judge observed as follows:

"If it were within the province of this Court to decide the point, I should hold that there is not, and never has been, a case of plague in this city."

Upon the day following the decision of the Circuit Court and the raising of the quarantine about the Chinese district, Dr. J. J. Kinyoun, the Federal quarantine officer (who had been previously a party to some of the investigations of those favoring the plague scare) arbitrarily and without proper cause quarantined the entire State. This summary and unjustifiable action appalled our citizens. The fruit and other industries were threatened with ruin. Business was partly paralyzed. Gloom settled over our

State, and the promise of a prosperous and happy ending of the year was dispelled. On the night of Saturday, June 16, 1900, the date of the arbitrary quarantine of Dr. Kinyoun, I telegraphed the President, appealing in behalf of the people of the State to release the quarantine, and I referred for the facts to my previous report to the United States Secretary of State. Appeals to the President were also made by the Republican State Central Committee and by its officers, and by many distinguished citizens irrespective of party, while the members of the California Republican Delegation to the Republican National Convention personally called upon the President at Washington, making similar appeals.

The President, being sufficiently advised of the true condition of affairs, acted promptly, and on Monday, June 18, 1900, he communicated with the Secretary of the Treasury, so that U. S. Surgeon-General Wyman was directed to order a release of the State quarantine, which was done at once.

Although our great and just President acted almost immediately when the injustice of Dr. Kinyoun and the said certain city officials of San Francisco was submitted to him, still, prior to the establishment of the quarantine, other States in the Union, being misled by the reports from the said officials who fostered the plague scare, quarantined against us, a course which was followed by the Republic of Mexico and a few other foreign States. Even yet, on account of the reports of the said city officers and of Dr. Kinyoun, the State of Texas continues an unjust quarantine against us, checking travel and interfering with the shipment of our commodities.

Assuming that we are fully justified in believing that the false reports of the plague, which were temporarily credited at Washington, in other States and in foreign countries, were innocently circulated, may we not have cause to think that in certain instances, when prosecuting scientific investigations within this State, with all sorts of slides, cultures, etc., for the purposes of discovery and comparison, some investigator innocently caused slides and cultures containing genuine imported bacilli to be accidentally mixed with or substituted for harmless slides and cultures prepared from human suspects, and in that way the medical department in Washington as well as in this State were deceived and induced to foster the false reports?

I personally know, with respect to some of the same subjects, officially reported as plague-stricken, that where lymph was taken from such subjects under my direction and most carefully watched and handled, no such results were produced under the microscope or upon animals as those reported by Dr. Kinyoun. When this Federal quarantine officer reported that his inoculated animals died of plague, those inoculated under my direction fattened and thrived.

In the glands which were taken during my investigation for experiment and examination, extreme care was taken to guard against tampering, and to prevent them from being mixed with imported slides and cultures.

Under such circumstances would it not be fair and just to assume that by accident some one erred in the selection of slides and cultures, if such results as those reported by Dr. Kinyoun were in truth obtained? But at all events it must be remembered that Dr. Kinyoun, who has been so persistently obstinate in his reports of plague, never had any experience with the disease proper, his experience being derived wholly from books and laboratory work, and not from practice among victims of the plague, as was stated in my report, above set forth, to His Excellency John Hay.

Notwithstanding some official and private reports to the contrary, I am still convinced that up to this time no case of bubonic plague has existed in this State; and with ordinary vigilance of the Federal quarantine officers to prevent its importation from foreign countries, none will exist in the State, unless through the criminal negligence or connivance of those who might possess genuine imported bacilli, and who would be interested in planting the dread disease in our midst.

The false reports of the existence of the plague and the unjust quarantine of the State irreparably injured many of our business interests and numerous industries of the State. Travel was stopped to California, and visiting tourists made haste to leave our State. The prices of California fruits and cereals shrunk, and in the markets of other States this placard was observable: "No California Fruits for Sale." Our commodities were for sale at a discount in foreign markets, and the reputation of this State as a Mecca for health-seekers has been blackened for years to come.

It is unnecessary to go further into details of our injuries as a people, in view of our widely-known bitter experience.

EXTREME DANGER FROM THE IMPORTATION AND HANDLING OF PLAGUE BACILLI—RECOMMENDATIONS FOR LEGISLATION.

The deadly character of the bubonic plague germs is such that medical authorities are agreed that such bacilli are transmissible, not only by secretions and excretions, but also from man to man, from animals, insects, and from objects, as well as from the soil.

The awful nature of this disease, and the necessity for the State taking all precautions against its importation, will be appreciated from the following excerpts from the pamphlet on the bubonic plague written by Dr. Walter Wyman, Surgeon-General of the United States Marine Hospital Service (the superior officer of Dr. Kinyoun), and published at Washington by the Government Printing Office. Dr. Wyman says:

"In the Christian era it is not until the sixth century that we find bubonic plague in Europe. In 542 it spread over Egypt, and passed to Constantinople, where it carried off 10,000 persons in one day, and in the same century appeared in Italy, and extended also

along the northern coast of Africa It prevailed in England in the seventh century. In the fourteenth century it was introduced from the East and prevailed throughout Armenia, Asia Minor, Egypt, Northern Africa, and nearly the whole of Europe Hecker calculates that one fourth of the population of Europe, or 25,000,000 persons, died in all of the epidemics in the fourteenth century It was in this century that the first measures were taken to check the spread of the plague, Venice appointing in 1348 three guardians of the public health for this purpose. In the fifteenth century it recurred frequently in nearly all parts of Europe, in one year, 1466, the mortality reaching 40,000. The first quarantine establishment was founded in this century, namely, at Venice, in 1403, on a small island adjoining the city. The sixteenth century was not more free from plague than the fifteenth In 1572 50,000 died at Lyons. In 1576 Venice lost 70,000 In the seventeenth century it still prevailed in Europe, though less widely than in the middle ages In 1656 one of the most destructive of all recorded epidemics raged at Naples It is said to have carried off 300,000 in a period of five months. The great plague of London was in 1664 and 1665

"The total number of deaths in 1665, according to the bills of mortality, was 68,596 in an estimated population of 460,000, out of whom two thirds are supposed to have fled to escape contagion. In the eighteenth century it prevailed extensively in Europe, the most notable epidemics being in Marseilles (1720), when from 40,000 to 60,000 persons were carried off In 1721 it appeared at Toulon and spread over Provence, and out of a population of 250,000 persons 87,659 are said to have died Sicily was visited in 1743, namely, at Messina, where the mortality was between 40,000 and 50,000 In 1771 it broke out in Moscow, and more than 50,000 persons, nearly one quarter of the population, were carried off"

Again on page 8 of the pamphlet, Dr. Wyman, speaking of the appearance of the plague subsequent to 1893, observes:

"Through the channels as detailed above has resulted an epidemic outbreak, which in Bombay (presidency) alone, has resulted in 220,907 cases, with the enormous mortality of 164,083; in Hongkong, 1 600 cases, with 1,541 deaths; Amoy, within a limited period, 540 deaths, Calcutta, approximately, 500 deaths, and in Formosa, 2,468 cases, with 1,866 deaths."

That danger may result from the use of plague bacilli in scientific experiments, is evidenced by the comment of Dr. Wyman upon the Austrian cases, where he says:

"Cases in Vienna, resulting from accidental inoculation while studying the disease in one of the laboratories, were controlled, and were limited to the two original victims and a physician and a nurse who ministered to them. The same may be recorded of a case introduced into Trieste, Austria"

The importation and possession of such deadly germs is, therefore, fraught with danger to the people, and should be prohibited by law. Who can tell what an unscrupulous or negligent man, scientific or otherwise, might not do while possessing plague bacilli, and knowing how to use the same? Why should not the people be protected against the importation by scientific men of these dangerous microbes, as well as to be guarded by quarantine regulations against the victims of the disease? Convinced as I am that the actions of those persons who, during the recent plague scare, carried about with them these deadly imported bacilli, were full of recklessness, if not bordering on criminal lines, I now urge that vigorous laws be passed, so as to prevent such actions in the future. I recommend the passage of laws, carefully drawn, relating to this subject, in substance, as follows.

First—That it be made a felony, punishable with an extreme penalty of life imprisonment, for any person for any purpose to import or bring or cause to be imported or brought into this State, or to have in his possession within this State, without the written authority of the State Board of Health, approved by the Executive, any plague bacilli, or plague cultures, or plague slides, and also that attempts to accomplish the same purpose be made punishable as ordinary felonies

Second—That it be made a felony, punishable with an extreme penalty of life imprisonment, for any person for any purpose, within this State, to develop bubonic plague cultures, or to make cultures or slides from any plague subject or so-called plague suspect, or to take tissue, glands, or lymph from any plague subject or suspect, or to otherwise operate upon the body of any plague subject or suspect, or to inoculate any animal, bird, or insect with plague bacilli, except under the supervision or with the written permission of the State Board of Health and with the approval of the Executive, and that any attempt by any person to commit any of such acts without such direction, supervision, and approval, be made punishable as ordinary felonies

EXTENSION OF POWERS AND DUTIES OF THE STATE BOARD OF HEALTH—A STATE QUARANTINE OFFICER NECESSARY

The paramount concern of the State of California for the sanitary condition of the people may be observed from the great damage done to the business and industries of the State through the recent false reports of the existence of plague The merchants, business men, producers, manufacturers, farmers, and fruit-growers throughout the State who suffered extremely on account of the unreliable reports of reckless persons concerning the appearance of plague in the City of San Francisco, will agree that there is an immediate necessity for the passage of rigid laws giving within this State jurisdiction to the State Board of Health over all local Boards of Health in the matter of quarantine regulations, and the supervision and direction over all bubonic plague

cases or plague suspects. The falsity of the report of the existence of plague in this State having been made manifest to the President, who caused the removal of the quarantine, justifies the State in attributing incompetency to the Federal quarantine officer stationed in this State. Even had the reports of that officer been well founded, which they were not, it still justifies the State in assuming that it was due to that Federal officer's incompetency in failing to properly quarantine the State, that suspected cases of plague were reported.

The time, therefore, has arrived for the State to protect its people, their business and their industries, against reported bubonic plague cases or plague suspects I recommend, therefore, the extension of the powers and duties of the State Board of Health so that its *dignity may be raised in proportion to its importance, and that the most eminent physi*cians may be proud of occupying a place in the Board, or acting under its supervision and direction. I recommend that in the matter of bubonic plague cases or plague suspects, as well as in all other dangerous, epidemic, contagious and infectious diseases, the State Board of Health have for State purposes full control and supervision of all county, city and county, city, and town Boards of Health, and medical officers, with a right at all times to demand a report from such boards and officers respecting epidemic, contagious, and infectious diseases

I further recommend that a refusal or neglect by such officers to so report to the State Board of Health be declared a felony, and punishable as such.

In view of the fact that by reason of the powers vested in the City Board of Health by the Charter of San Francisco, the legality of the office of State Quarantine Officer to such city under the Act has been disputed, I recommend that a law be passed repealing said Act, and creating the office of State Quarantine Officer, to be vested with State quarantine powers, and to perform his duties under the supervision of the State Board of Health, such officer to be stationed at the Port of San Francisco. I recommend a moderate appropriation for the payment of such officer's services and expenses I further recommend that full power be given the State Board of Health for the establishment and enforcement of all reasonable rules and regulations for a quarantine of the State and its waters.

I further recommend the passage of a law preventing the landing at any of the State, city and county, city, or town bulkheads or breakwaters of any vessel arriving from any other State or from a foreign country, at any port, sub-port, or harbor of the State, without a certificate of health first obtained from the said State Quarantine Officer at the Port of San Francisco, or from the State Board of Health, or from an officer duly authorized in writing by the State Board of Health.

It might be well, perhaps, that an Act be passed providing for the establishment of a laboratory for bacteriological and experimental purposes, for the use of the State Board of Health, and that an adequate appropriation be made therefor.

I recommend further, that it be made the duty of every city, county, and State officer, physician, or other person having knowledge of the existence of any case of plague or suspected case of plague, within the State, to report the same at once to the State Board of Health, or to the Sheriff or Coroner of the county, and that it be made the duty of such Sheriff or Coroner to immediately report such information to the State Board of Health. Refusal or neglect to perform such duty should in the case of physicians, city, county, and State officers, be made punishable as ordinary felonies, and, in the case of other persons, such refusal or neglect should be punishable as a misdemeanor.

I recommend that it be made the duty of the State Board of Health, upon receiving such report, to immediately investigate or take charge of such case, or depute or authorize some physician to investigate and take charge of such case, and in the event of death that a member of said State Board of Health or physician delegated by said Board be present at the autopsy.

Upon the verification by the State Board of Health of any case of reported plague, it should be made the duty of such State Board to immediately notify all local Boards of Health in the State, and also notify by telegraph the United States Treasury Department at Washington, and the State Boards of Health of all the States of the Union

LEGISLATION AGAINST FALSE REPORTS NECESSARY.

I recommend that all appropriate laws to protect the State from this dread disease should be enacted.

It is an extremely regrettable fact that the injury to the business and industries of the State was largely increased through false and sensational pictures and writings of a very few newspaper organs, managed and edited by those who certainly had not at heart the welfare of the State above their own selfish interests The circulation of such untrustworthy publications disseminated the plague scare broadcast, and wrought much of the injury which the people of the State have sustained.

No State should permit such an outrage to be committed against its citizens by any man, set of men, or corporation. I believe in a free, but not in a licentious press I believe in just public criticism by the press of public officers, and in proper and just warnings by the press of public and private dangers, whether from disease or otherwise. I would not desire, were it possible under our constitution and laws, for a censorship to be established over the press, notwithstanding some abuses. I am, however, firmly of the opinion that legislation is necessary to protect the people in the conduct of their business and the sale of their products and commodities Such acts, causing great

wrongs to the State by an individual or a corporation, should be declared criminal, and severe punishment should be meted out to such offenders.

We have a law now in our statute books entitled "An Act to protect stockholders and persons dealing with corporations in this State" (approved March 29, 1878), declaring as a felony the making and publication of false reports respecting the value of stocks sold in the market. Such a wrong, punishable under such Act, only affects a limited number of individuals, while the circulation and publication of false reports respecting the public health tends to the destruction of all the interests of all the people of the State.

The recent false press reports respecting the existence of bubonic plague within this State stopped for a time travel to this State, and ruined much property of our citizens, and imperiled our industries, and immediate legislation is needed to prevent a recurrence of these vicious publications.

I suggest, therefore, that it should be declared a felony for any person or corporation to publish or procure to be published within this State any false report of the presence of bubonic plague within this State, and that it be likewise declared a felony for any person or corporation within this State to publish or procure to be published without this State the existence within this State of bubonic plague.

The reputation for public health is a most valuable right of the State and of its people. That reputation of the State for health should not be destroyed nor the business nor industries of its citizens interrupted nor impaired through the malicious pen of a scribbler writing either for profit or sensation.

Reputation for public health is connected closely with public safety, and with the enjoyment by the citizens of their private property, and the care and maintenance of that public health is within the sovereign powers of the State.

The passage of such laws will not be repressive of the liberty of the press.

Judge Cooley, in his admirable work on Constitutional Limitations, thus defines that liberty, p. 518 (6th ed.).

"The constitutional liberty of speech and of the press, as we understand it, implies a right to freely utter and publish whatever the citizen may please, and to be protected against any responsibility for so doing, except so far as such publications, from their blasphemy, obscenity, or scandalous character, may be a *public offense*, or as by their falsehood and malice they may injuriously affect the standing, reputation, or pecuniary interests of individuals. Or, to state the same thing in somewhat different words, we understand liberty of speech and of the press to imply not only liberty to publish, but complete immunity from legal censure and punishment for the publication, *so long as it is not harmful in its character*, when tested by such standards as the *law* affords. For these standards we must look to the common law rules which were in force when the constitutional guaranties were established, and in reference to which they have been adopted."

Again, the same learned author on pages 516-17 of the same work thus expresses the law:

"It is conceded on all sides that the common law rules that subjected the libeler to responsibility for the private injury, *or the public scandal or disorder occasioned by his conduct*, are not abolished by the protection extended to the press in our Constitutions."

The common law afforded full protection against malicious and seditious libels and publications, and where the public health and public safety are liable to be assailed by evil and designing persons, laws should be passed for the protection of the people in this regard. The people cannot permit their business and industries to be checked, injured, or destroyed at the mere whim or caprice of a private person or private corporation conducting a newspaper, which is capable of disseminating far and wide malicious or false reports respecting the condition of the public health of the State.

THE PASSAGE OF LAWS FOR THE IMPROVEMENT OF THE SAN FRANCISCO HARBOR AT THE EXTRA SESSION OF 1900

In January, 1900, after very mature consideration of the many reasons then existing for reconvening the Legislature, I called an extraordinary session.

The legislators, actuated by patriotic motives, vied with each other in rapid, efficient, and economic work.

Among other principal matters for which the Legislature was convened was to pass enabling laws in aid of the State Harbor Commissioners of San Francisco by amending Sections 2524 and 2527 of the Political Code of this State. As Section 2524 previously stood, the length of wharves at San Francisco could not exceed six hundred feet from the bulkhead line, and this limitation was not adapted to the large modern ships arriving in the harbor. The wharfage facilities of San Francisco were insufficient to accommodate the great number of vessels already in port in 1899, and as the year 1900 promised a great increase in shipping, it became a matter of immediate necessity to provide in advance for that emergency.

Many merchants and commercial associations of San Francisco, having the interests of the State, as well as of that city, at heart, viewed with alarm the limited harbor accommodations to meet the constantly increasing demand of the shipping interests of that great and flourishing city, and urged me to call an extra session of the Legislature to afford relief in the premises. Among them, the North Central Improvement Association of San Francisco, composed of active business men of advanced views upon the subject of the commercial needs of the State, addressed to me a strong petition signed by numerous energetic and public-spirited citizens, requesting an extraordinary ses-

sion, in order to afford the much needed relief, while the State Harbor Commissioners (a majority of whom are Democratic), together with my able and distinguished Democratic predecessor, Hon. James H. Budd, filed a petition on December 13, 1899, for an extraordinary session, stating the immediate necessity of amending said Sections 2524 and 2527 of the Political Code, in order to accommodate the increased tonnage arriving at the port

The Legislature in the extra session of 1900 passed the principal measures for the relief of the Harbor of San Francisco recommended in my proclamation, so that under the present law, with the approval of the Federal authorities, State wharves and piers may now extend out a distance of about eight hundred feet from the bulkhead line, which, when completed, will accommodate the largest ships afloat The Board of State Harbor Commissioners, after the passage of the law, prepared a contour map for the establishment of a new harbor pierhead line, which was by me forwarded to the United States War Department at Washington, with the request that the new extended pierhead line be established in place of that previously existing This request was referred to a Board of United States Army Engineers, which board recently met in San Francisco, and after due advertisement, made a favorable report to the War Department.

Upon the 18th day of December, 1900, I received official notice that the Honorable the Secretary of War had approved and confirmed the extension of the pierhead line into the Bay of San Francisco from Van Ness Avenue to Folsom Street.

By the amendment to Section 2527 of the Political Code, also passed at the said extra session, the Board of Harbor Commissioners, instead of being limited for the purpose of improvements to the use of their revenue for one year in advance, as was the case previous to the amendment of 1900, are now enabled to enter into contracts of leases for a period not exceeding five years after competitive bids, whereby the lessee shall undertake the construction of new wharves, bulkheads, or breakwaters, the rents therefrom to be applied in whole or in part payment for the cost of construction, discretion resting in the State Harbor Commissioners to provide in the contracts with the lessees that the rents from such wharves, bulkheads, or breakwaters shall be applied upon such contracts, or the work to be paid for in whole or in part from such rents and revenues, as may be deemed best by said Commissioners. By this amendment the State Harbor Commissioners may continually improve the harbor, without asking the Legislature to appropriate a single dollar toward the work, the plan in the amendment being wholly self-supporting

The State Harbor Commissioners have reported that since the said extra session they have made contracts for improvements of the harbor aggregating in amount $542,410.33 and of which sum $326,847 will be applied to the construction of four modern substantial wharves and two car ferry slips.

With these grand harbor improvements and other probable improvements under the same plan, to meet our fast growing commerce, we need not fear, in the future, competition from the ports of Oregon and Washington, nor from the East upon the opening of an isthmian canal.

Since the filing by the State Harbor Commissioners of their biennial report, in which they have set forth the advantages to the harbor of San Francisco from the amendments passed at the extra session, I have received the following supplementary report, from which we may predict that the commercial future of the State is now firmly assured

I beg leave to include in this message the supplementary report of the Harbor Commissioners, as follows.

"BOARD OF STATE HARBOR COMMISSIONERS,
"OFFICE UNION DEPOT AND FERRY HOUSE, SAN FRANCISCO, CAL.,
"SAN FRANCISCO, CAL., December 17, 1900

SUPPLEMENTARY REPORT.

"HON. HENRY T GAGE, *Governor of California, Sacramento, Cal.*:

"SIR. In the biennial report of this Commission for the two fiscal years ending June 30, 1900, and forwarded to you some time ago, the subject of port facilities in this harbor was referred to at some length. Legislation enacted at the extra session of the Legislature relating to the powers and duties of this Board was taken up therein in detail, and an outline of the increased port accommodations contemplated mapped out Since this biennial report was forwarded, and on November 22, 1900, the Board, under the authority conferred by the law as amended at the extra session, awarded contracts for the construction of four (4) new wharves and two (2) car ferry slips

"The aggiegate amount of these contracts is $326,847, and the terms of the contracts which have been entered into provide for the payment of twenty per cent of contract price on completion of the work, and sixteen quarterly payments thereafter of five per cent each. There is also a stipulation that should the Board determine to pay before maturity, then a deduction shall be make at the rate of five per cent per annum. The contracts awarded do not include the furnishing of cement, wharf sheds, and driveways, nor preservation of piles for the car ferry slips to protect them from the ravages of marine pests. With these additions, the structure will cost about $425,000.

"These contracts are the largest ever entered into at any one time for wharf construction by the Board of State Harbor Commissioners, and the improvements embraced therein will add greatly to the port accommodations, and in a very marked degree relieve the shipping congestion experienced during the past year.

"These new wharves will be built as permanent as scientific skill will permit, and will have a loading capacity of 500 pounds to the square foot. This, in comparison with the ordinary pile wharves upon our water front, the capacity of which is reckoned at 100 pounds to the square foot, affords convincing proof of their stability Each of these new wharves will cost as much again as a pile wharf; but, built as they will be, on permanent lines, the cost of maintenance will be reduced, aside from the fact that their capacity will be so much greater.

"The inauguration of these improvements was made possible by the enabling legislation of the extra session. No such extensive work could have been projected without it. Extensive as is the work alluded to, the enabling legislation will permit this Board to prosecute other work of corresponding importance to our shipping industry, and in fact make it possible to provide all accommodations the volume of the commerce of this port will require, *without issuance of bonds or a tax upon the people of the State*

"The next important work to be taken up is:

"*First*—The removal of the floating dry dock to Central Basin, near the Arctic Oil Works, and making additional wharf room at the present location of the dry dock, between Spear and Main streets.

"*Second*—The construction of two repair wharves in Central Basin, adjacent to new dry dock

"As stated in our biennial report, the purpose of building these repair wharves is to enable the Board to assign vessels thereto undergoing repairs, and preclude the necessity of permitting them to occupy berths at wharves that could otherwise be utilized by vessels loading or discharging cargo

"*Third*—Lengthening such number of wharves as are necessary to accommodate modern vessels of the greatest length, to be done after the Federal Government has established a new pierhead line"

(Note by Governor.—Since the writing, this has been granted by the Federal Government)

"*Fourth*—Rebuilding of some of the old piers on permanent lines

"*Fifth*—Extending the seawall south from its present terminus near Mission Street.

"The enabling legislation of the extra session has made it possible for this Board to anticipate its revenue for a period of five years in advance, and after deducting therefrom the amount estimated for current expenses during said period, enter into contracts to the amount of the difference or any part thereof for harbor improvements, and to stipulate that payments on such contracts shall be made at any time within a period of five years from the completion thereof

"The revenue of the Board for the five fiscal years ending June 30, 1900, has been $3,068,481.02, or an average of $613,696.20 per annum. For the eleven months of the present year the revenue has been $667,922.77, an average of $61,174 79 per month or for twelve months, $734,097 40 There is no doubt but that when the returns for this present month are in, the receipts for the twelve months of this year will reach $735,000, or an increase over the yearly average receipts of the five last fiscal years of $121,303 80

"With our increase in wharfage facilities, we believe we may safely calculate on a still greater increase in our receipts. For the coming five years the receipts of this Commission in our judgment, will average $750,000 per annum, and on this basis the following will clearly demonstrate the possibilities for harbor improvements under the enabling legislation of the extra session:

Estimated receipts for the coming five years at $750,000 per year	$3,750,000
Estimate of current expenses, including necessary repairs, during the coming five years	2,540,000
Gain	$1,210,000
Amount of contracts entered into	326,847
Estimated surplus for permanent improvements	$883,153

"The building of the seawall from its present terminus to Channel Street, a distance of about 6,000 feet, including the inside filling between the wall proper and the shore line, would cost about $820,000

"It is believed that in the near future the Board can under the enabling legislation of the extra session proceed to make further permanent improvements on the water front aggregating $883,000

"Thus it will be observed that the accumulated residue in five years, after paying in full for the four new wharves and two car ferry slips already contracted for, will exceed the amount that would be required to extend the seawall to Channel Street, if the immediate prosecution of this work were practicable.

"But before work on seawall extension is commenced, wharf additions in the harbor must first be made, so that our shipping will not suffer in any respect in the handling of inward and outward cargo When these necessary additions are first perfected, as is now possible under the existing law, then the seawall can be extended, and the work paid for without any bond issue or tax upon the people.

"In our biennial report we referred at some length to the large increase of the business of the Belt Railroad This business has continued to increase since June 30, 1900. Tenants occupying seawall lots have been notified to vacate, so that additional yard room can be secured for railroad purposes The Board has advertised for bids for the construction of a freight depot for the Santa Fé Railroad System, and these bids will be

opened December 27, 1900, and with other changes and alterations under way, this department will have increased and adequate facilities for the expeditious handling of the railroad business regardless of volume

"With the addition of new wharves, work of the two State dredgers has been taxed to the limit. As proper dredging of the slips and channels of the harbor is a matter of the first importance, the Board has determined to build a new dredger of the most modern design and equipment, thereby precluding the possibility of any inconvenience to the shipping of the port.

"Very respectfully,

"PARIS KILBURN, President.
"P J. HARNEY, Commissioner
"RUDOLPH HEROLD, JUN, Commissioner.

"Attest: WM. D ENGLISH, Secretary."

The excellent results attained by the gentlemen constituting the present State Board of Harbor Commissioners under the new law during the brief period which has elapsed since the extra session of 1900, reflect great credit upon their management of the affairs of the harbor of San Francisco

THE UNIVERSITY OF CALIFORNIA.

Notwithstanding the careful management and control of the affairs of the University of California by the able gentlemen constituting the Board of Regents, and despite their devoted and generous labors without compensation for the welfare of that excellent institution of learning, it has been represented to me that the University is again in need of additional support, in order to meet present contingencies

The condition of the University will doubtlessly be submitted to you for consideration by some of its officers, and its condition should receive from you close and careful examination.

The University is, independently of donations, maintained by a continual ad valorem tax of two per cent upon the taxable property of the State, and by income received from its investments and from special funds.

By an Act of the State Legislature to provide for the permanent support and improvement of the University, approved February 14, 1887 (Stats 1887, p 2 *et seq.*), the people of the State are annually taxed one per cent ad valorem upon each one hundred dollars of value of the taxable property of the State, and the taxes so received are paid into a fund called the "State University Fund," subject to be drawn out by order of the Board of Regents or such officers of the Board as may be duly authorized thereto The money thus derived is to be applied to the support and permanent improvement of the University. By another Act of the State Legislature, approved February 27, 1897 (Stats 1897, p 44), to provide additional support and maintenance for the University, an additional one per cent ad valorem tax is annually levied upon each one hundred dollars of value of the taxable property of the State, the money derived therefrom being likewise paid into the State University Fund, subject to like order of the Regents or such officers duly authorized by them. Under the provisions of this last statute, one half of the revenues raised by this tax during the first ten fiscal years from the approval of the statute is to be devoted to the purpose of acquiring lands, buildings, and other permanent improvements.

About the time of the passage of the last statute of 1897, during the administration of my able predecessor, I have been informed that public assurance was given by the representatives of the University that, as a result of this law, ample funds would be provided for the permanent support of the University, and further calls upon the Legislature for appropriations for support would be unnecessary, and would not be demanded. The people have since the passage of this last Act of 1897, graciously submitted to the two per cent tax for the support of the University, but it must be admitted that the maintenance of the University through standing taxes, in the light of this experience, is, to say the least, very disappointing

Prior to the passage of the Act of February 14, 1887, providing for a continual tax for the support of the University, it had been the rule for each Legislature to provide sufficient appropriations for its maintenance for two years in advance in the same manner adopted for the support of other public institutions. The condition of the University was therefore exhibited directly to the representatives of the people, and became thereby a subject of public discussion and concern. By this method the people were brought in touch with the management of the institution, and could easily learn through their representatives its actual condition While the Regents are obliged under the law to report the condition of the University annually, such reports are not read by the people, and generally their representatives, by reason of their many and varied duties have neither time nor opportunity to give such reports careful attention. In consequence, the real condition of the University is withheld from the people.

The people, through their representatives in the Legislature, have never been parsimonious in appropriations for the support of the University, but have, on the contrary, generously assisted it when its condition was shown to require assistance. I venture the opinion, therefore, in the light of the past history of the University, that standing taxes for its support are not as productive of benefit to that splendid crown of the common schools as appropriations passed by each Legislature, according to its increased or diminished necessities

The people have the highest concern in knowing the condition of the University, as well as that of other public institutions.

No State institution should be above the law, nor removed from public scrutiny.

From a report recently received by me from the Secretary of the Board of Regents, the sum received by the University from the two per cent tax for the fiscal year ending June 30, 1900, amounted to $236,298 28. The sum to be received from the taxes of this year will, in my opinion, slightly exceed this amount The total income for the said fiscal year, including the two per cent tax, aggregated $368,401 64

It is said that this large sum is not sufficient to provide for the growing needs of the University, and relief from the present Legislature will be sought by the officers of the University.

THE BENEFACTIONS OF MRS. PHŒBE HEARST—SOME RECOMMENDATIONS FOR THE RELIEF OF THE UNIVERSITY.

Inasmuch as one half of the revenues derived from the additional tax provided by the Act of February 27, 1897, must under the law be used for permanent improvements, such as the acquisition of lands and buildings, it is my opinion that it is unnecessary that the tax for that purpose be continued, in view of the munificent donations which that most excellent lady and public benefactress, Mrs Phœbe A Hearst, is about to bestow upon the University for this special purpose

I beg leave here to quote with approval the language of Governor Budd in his first biennial message, dated January 4, 1897, where, referring to this subject, he pays a well-merited tribute to Mrs. Hearst, as follows:

"Under an Act of the last Legislature, buildings for the affiliated colleges are being constructed in San Francisco, and as soon as a general plan for the construction of buildings at Berkeley can be adopted, the Regents will receive, by the donation of generous people of the State, sufficient money to construct all the buildings the University will need for many years to come. The means by which to procure these plans has already been donated by that public-spirited philanthropist, Mrs Phœbe Hearst, whose aid has heretofore been graciously extended to the University; and as soon as the plans are adopted we are assured by her of an additional benefaction of over half a million dollars, for the erection and maintenance of buildings for the use and extension of the University."

Since Governor Budd delivered that message, Mrs Hearst has, during the present administration, exceeded all expectations, by the adoption of plans for the University prepared upon a magnificent and almost royal scale, and has paid very high rewards to several competing architects, as well as to the designer of the approved plans The future of the University regarding permanent improvements is therefore assured by the philanthropy of this most public-spirited lady and Regent of the University; and whatever may be lacking for the carrying out of the grand ideas of Mrs. Hearst will be gladly done at the proper time by the people of the State through their representatives, as occasion demands.

In view of this condition, I recommend for the present relief of the University that the Act of February 27, 1897, be amended so as to permit all of the revenues derived from the one per cent tax to be devoted to the support and maintenance instead of being in part used for *permanent* improvements.

The report of the Secretary of the University, recently submitted to me, shows that the amount of $59,074 57 derived from this tax for the fiscal year ending June 30, 1900, was under that law devoted to the fund for the permanent improvement of the University.

By the adoption of the amendment now proposed by me the University will receive the benefit of this sum, which would otherwise be used for the erection of buildings and like improvements.

An Act was passed by the Legislature at its last regular session providing for the erection and furnishing of a residence for the Governor, but on account of the sudden rise in materials and for other reasons specified in the report of the State Capitol Commission, which is submitted for your consideration, the erection and furnishing of such residence was not possible; and in view of the immediate needs of the University, and the fact that such residence is not a matter of urgency, I recommend that a law be passed appropriating the balance of that appropriation, which is now in the State Treasury, to wit: the sum of $48,758, for the support and maintenance of the University, and the subject of the erection of a residence for the Governor may be considered at a future session of the Legislature, if deemed advisable.

By the adoption of these two suggestions, a sum approximating $109,000 will be immediately available for the needs of the University without increasing the appropriations to be passed at the present session, or requiring the passage of a law augmenting the taxes which will be payable by the people.

NON-RESIDENT STUDENTS SHOULD PAY TUITION FEES.

Some time ago it was proposed before the Board of Regents that all University students should be subjected to a tax for the support of the University. I took occasion then to vigorously oppose such an unjust plan, among other grounds, because the University, being supported by the people of California as a part of its plan of public education, and open to rich and poor alike, such a tax would be in violation of the rights of the people who supported this institution. The student tax was defeated. The injustice of the proposed student tax lay in the fact that it was sought to impose a tax

upon the children of the taxpayers of the State whose money was already maintaining the University. Since the foundation of the University the people of California have maintained and supported that institution by the payment of taxes. It is manifestly unjust that the people of this State should be taxed to educate the children of non-residents and non-taxpayers of other States and of foreign countries.

If it be a fact that our University is becoming overcrowded, certainly measures should be adopted giving preference to the children of our taxpayers rather than giving place to children of non-residents of other States and foreign countries

I therefore recommend that Section 1394 of the Political Code should be so amended, or that a law be passed, requiring non-resident students of the University to pay reasonable tuition fees.

In this connection I also recommend that tuition fees be required of all non-resident students attending the State Normal Schools

In thus submitting my views upon the necessity of amending the laws relative to the maintenance of the University, it must not be supposed that I would desire to have its growth impaired by any parsimonious legislative remedies. On the contrary, I believe firmly in higher education. While my love for the common school is intense, I would also like to see the State University a greater institution of learning than any other in the world. But I do not believe in waste and in idle show I would like to see the highest scientific and classical ideals attained, but I would also wish to see those ideals anchored in this practical, matter-of-fact world. Education should not be mere ornamentation. The student of the University, whether graduating as Bachelor of Arts, Bachelor of Science, Bachelor of Philosophy, or otherwise, should be already in touch with the busy world about him, and able to cope from a practical standpoint with the difficulties which ordinarily beset the graduates of our schools and colleges.

I believe in substantial appropriations to assist every wise and practical method of education which may be adopted by the University in its course I believe, therefore, that the University should be liberally maintained, but not lavishly, so as to become an unnecessary burden upon the taxpayers of the State.

LELAND STANFORD JUNIOR UNIVERSITY.

By the passage, at the last election, of Assembly Constitutional Amendment No 23, the trusts and estates for the endowment and maintenance of the Leland Stanford Junior University are exempted from taxation, and therefore imposes upon this institution a quasi-public character. In consideration of this exemption it is provided that the University will admit student "residents of California" free from tuition fees This advantage will doubtlessly attract to that splendid institution many students who might otherwise avail themselves of the free tuition in the State University, which may in time tend to prevent the overcrowding of the University of California Legislation will be necessary in connection with this as well as other of the constitutional amendments, to properly carry into effect the intention of the people in exempting this University from taxation

ADJUSTMENT OF LEGISLATIVE DISTRICTS AND REAPPORTIONMENT.

Under Section 6 of Article IV of the Constitution of this State, your honorable bodies are vested with the power of fixing and adjusting the legislative districts of the State, and of reapportioning the representation, "so as to preserve them as near equal in population as may be."

My confidence in your integrity and fairness permit me to predict that this duty will be justly performed, and the matters disposed of upon the basis of abstract right.

ABOLITION OF THE OFFICE OF COMMISSIONERS FOR THE PROMOTION OF UNIFORMITY OF LEGISLATION IN THE UNITED STATES.

I recommend the repeal of the Act approved March 9, 1897 (Stats 1897, p 74), creating "A commission for the promotion of uniformity of legislation in the United States," as the office serves no useful purpose, and its continued existence is an unnecessary expense to the State.

INVENTORY OF STATE PROPERTY

Previous to the present administration no complete record had been kept at the Capitol of the various classes of State property under the control of State officers, and in the various institutions of the State The Act requiring State officers to give an inventory of State property was approved February 9, 1897, and is entitled "An Act to require an inventory of State and County property, and directing that a record of the same be kept"

This Act is very loosely drawn, and requires only that a biennial report, under oath, of the inventory of all State property in their keeping, be given by State officers, boards, and commissioners, without attaching any penalty for non-performance.

The present Secretary of the Board of Examiners prepared a notice and demand under the terms of said Act, and caused the same to be served upon all State officers, boards, and commissioners, requesting a prompt return of the inventory. As a result of the urgent demands of the said Secretary, the Board of Examiners have now a more complete record and estimate of the nature and value of all State property than ever before.

I recommend that the said law be so amended, or that a new law be passed, requir-

ing all State boards, commissioners, and officers to furnish the State Board of Examiners with verified inventories of all State property in their keeping or under their control at least once a year, and whenever reasonably demanded by said Board, and that a willful refusal to give such statement be declared a misdemeanor, and that such refusal be likewise punished by forfeiture of office.

PRIMARY LAW.

At the recent election the people adopted by a large vote Senate Constitutional Amendment No. 4, which vests in the Legislature the power to enact primary laws and to embody in such laws valid tests and conditions. In view of the clearly expressed will of the people, it becomes your duty, under the said constitutional amendment, to pass reasonable laws for the conduct of primary elections; but it must be remembered that the State is not absolute, so that care should be taken that such legislation may not contravene any of the provisions of the United States Constitution or of the Federal laws, and such laws providing for primary elections should be the least complex and as inexpensive in character as is consistent with the rights and privileges of electors.

WHITTIER STATE SCHOOL.

The report of the Board of Trustees of the Whittier State School has been printed as required by law, and I beg leave to refer you to a printed copy of said report for the details of the present management.

Since the adjournment of the thirty-third regular session, namely on the 16th day of June, 1899, the refectory building of the Whittier State School was accidentally destroyed by fire. As none of the State institutions, except the University and the State Printing Office, are permitted to carry insurance, and as no part of any money appropriated for the maintenance of the school could under the law be applied for the reconstruction of the burned buildings, great inconvenience has hampered the management. It is now necessary that contracts be let for the immediate rebuilding of the dining-room and kitchen, and I recommend that a law be passed appropriating a sum not to exceed $15,000 for that purpose, which said appropriation should be made at once available.

PRESTON SCHOOL OF INDUSTRY.

The former superintendent, Mr. Hirschberg, of this School of Industry, recently tendered his resignation, and on the 7th day of December, 1900, a strong petition having been presented recommending Rev C. B Riddick, of Alameda County, for the vacant place, the Board of Trustees, I am pleased to note, selected this most accomplished and competent gentleman.

In view of the recent report before you of the former management, it is unnecessary at this time to detail the work heretofore done in this important reform school

STATE INSTITUTIONS GENERALLY.

All State institutions appear to be efficiently and satisfactorily managed, with a few exceptions, where the control and supervision are not vested in this administration.

SCANDALS IN STATE DENTAL AND PHARMACY BOARDS.

The members of these boards (with one exception in the State Dental Board) were appointed prior to my induction into office.

Now it must be remembered, owing to the exceedingly limited powers of the Governor, that neither my own appointees, nor those of my predecessors holding for terms, are subject to removal or change

In the management of the State Board of Pharmacy and the State Board of Dental Examiners scandals have been bruited, and appeals made to me for redress; but inasmuch as I am deprived of all power in the premises, such appeals are both idle and useless. As a result of these scandals, the said boards are in a lamentable condition, and their efficiency is practically destroyed.

At the extra session of 1900 I asked the Legislature for the power of removal in cases of malversation in office, which my predecessor had likewise requested, in order that such abuses might be rectified; but the Legislature then deemed it unwise to vest in the Executive of this State such power, although much greater power in respect to such matters has been granted to the Mayor of San Francisco and the Mayors of other cities in this State.

In this aspect of the case I quote the following language of Governor Budd in his second biennial message on the very eve of his retirement from office, and submit the same for your careful consideration:

"'But,' as I said in my message to the Legislature, 'if the Governor is to be held responsible for the conduct of the departments whose incumbents he names, he should be given control of those functionaries,' etc. Such control has not been given. I appealed to the last two Legislatures to pass some law empowering the Governor to control the institution, and pointed out how much I had been embarrassed by the lack of such laws Both Legislatures refused to pass the requisite bills, and I found myself helpless when occasion arose for severe and determined treatment. If abuses exist,

hey are the direct result of such failure to pass the bills recommended. I again recommend that 'for cause and upon a hearing' the Governor be given the power to remove his own appointees."

Again, matters sometimes arise within the State which are the grounds of international questions, and the Executive is requested by the United States Secretary of State to forward a report of the facts of an alleged breach of treaty through the act of some term-holding State, County, or Municipal officer While the mere privilege of requesting such report of such officer is afforded the Executive, it is equally a privilege on the part of such officer to either notice or wholly ignore the request of the Executive. In consequence it has happened in some instances that little or no information could be afforded the Department of State at Washington, and that little information was only given this office through the barest official courtesy. I have been compelled many times to call the attention of the Federal authorities to the inability of the Executive, under the laws of this State, of compelling the transmission of proper or much-needed information from our State, County, and Municipal officers. I submit that this defect in the law should be appropriately remedied, especially as you will remember that, outside of the appointees in the Governor's office, there are very few State officers whom the Governor has the power to remove for misconduct. An officer once appointed for a term of years has the power to defy both the people and the Executive, and to conduct his office according to his own pleasure, provided he does not reveal tangible evidences of crime.

The State Constitution provides that the Governor "shall see that the laws are faithfully executed" * * * and that "he shall communicate by message to the Legislature at every session the condition of the State, and recommend such matters as he shall deem expedient."

How is it possible for him to report the condition of the State in all instances unless he shall be entitled to call upon the various officials throughout the State for such information as may be desired pertaining to their particular departments? And how is this possible unless it be made the duty of such officials, State, County, and City, to furnish the Governor, on reasonable demand, such needed information, and unless there be some mode provided by law to punish a dishonorable official for neglecting or refusing compliance therewith?

NATIONAL GUARD OF CALIFORNIA

The present condition of the National Guard, as compared with its condition at the beginning of this administration, reflects credit upon the Adjutant-General and the officers of the National Guard. The Spanish-American War of 1898 as well destroyed the efficiency of the Guard as it depleted it in point of numbers About twelve hundred officers and men, scattered throughout the State, represented its entire numerical strength. At the present time the Guard numbers over four thousand officers and men, inclusive of the Naval Militia consisting of four hundred and twenty five men and officers.

One of the efficient aids to the present improved condition of the Guard was the passage by the Legislature at its thirty-third session, of the Act entitled "An Act regarding organizations, officers, and members of the National Guard who entered the United States Volunteer Service in the Spanish-American war of 1898," etc, approved March 21, 1899 (Stats. Cal. 1899, p. 158, *et seq*), which enabled the returned officers and men of the National Guard, California Volunteers who had been mustered into the United States Service, to reenter the National Guard, and report for duty.

The patriotism of our California Volunteers, as well as their loyalty to this State, induced them eagerly to avail themselves of the benefits of the statute, and their active service in camp and field gave as well new vigor to the Guard, as it inspired emulation.

The Adjutant-General's department has been managed with commendable economy, and at the same time sufficient supplies and equipments have been purchased by the State and furnished by the United States Government so that the Guard is now better equipped than ever before in the history of the State

The following is a list of the Adjutant-General given to me of stores and supplies issued to the Guard:

Quartermasters' and Ordnance Stores and Medical Supplies Issued to the National Guard of California During the Present Administration.

3,117 Springfield rifles, caliber .45	$40,895 04
3,037 gun slings	1,457 76
3,156 bayonet scabbards	2,556 36
3,440 cartridge belts, woven	4,394 45
3,100 haversacks and straps	4,464 00
3,100 canteens and straps	2,635 00
3,100 meat cans	868 00
14,850 tin cups, knives, forks, and spoons	1,098 43
326,000 rounds of ammunition	6,305 18
Miscellaneous ordnance stores	1,576 18
Total ordnance stores	$66,250 83

3,764 blouses, 3,667 pairs of trousers, 3,812 caps, 4,000 campaign hats, 1,543 overcoats	$44,253 11
3,800 pairs of leggings	2,313 34
72 field ranges	3,096 00
3,516 shelter tent halves	5,760 63
504 regulation tents, complete	10,830 44
2,300 blankets	7,698 24
Total Quartermasters' stores	$73,951 76
Hospital supplies—Field equipment for five regiments	$2,056 34
Recapitulation:	
Total value ordnance stores	$66,250 83
Total value Quartermasters' stores	73,951 76
Total value medical stores	2,056 34
Grand total	$142,258 93

CALIFORNIA STATE RELIEF COMMITTEE FOR TEXAS SUFFERERS.

On the 7th and 8th days of September, 1900, great storms destroyed the City of Galveston and adjoining towns in the State of Texas, and the people of the United States were appalled by news of the loss of thousands of lives of their fellow beings and of an enormous destruction of property. The electric current of human sympathy sped east and west and north and south. The people of California were quick to respond without the need of an appeal from the people of Texas. When the reports of the destruction reached me I communicated with the Governor of Texas by wire, who responded that the people of Galveston were in need of all possible help Appreciating the necessity of an organized movement for the distribution of money in aid of the survivors and for the burial of the dead, I appointed as a State Relief Committee for the Texas sufferers the following distinguished citizens of San Francisco, namely, Messrs Isaias W. Hellman, Claus Spreckels, William Alvord, F. W. Dohrmann, A. A. Watkins, Charles Nelson, Robert J. Tobin, and J. L. Flood. Each of the above-named citizens readily accepted the responsibility, and unselfishly devoted his time and attention to this most humane work. The committee labored unremittingly in the cause of the distressed people of Texas, and on the 20th day of September, 1900, filed with me a preliminary report, and thereafter on the 4th day of December, 1900, filed a final report of their labors. The report is an excellent and business-like document. It shows that the committee received and transmitted to Governor Sayers of Texas for the relief of the sufferers cash contributions amounting to $18,871.42, and that the total contributions to the Texas Relief Fund reported from the State of California aggregated $85,273.85—a splendid testimonial to the generosity of the people of California and to their fraternal love for their fellow-citizens of other States.

Considering the care and labor devoted by the Relief Committee to this charitable object, I beg leave here to publicly thank each and all of the members of the committee, and to recommend that a resolution of thanks to all of the members of the Relief Committee be adopted by your honorable bodies.

CLAIMS OF COUNTIES AGAINST THE STATE.

Of the sources of fertile litigation against the State, the claims of counties predominate. Outside speculators yearly employ attorneys to examine the county records and prepare county claims against the State, among which claims are those based upon the alleged care of orphans, half orphans, and abandoned children. After the preparation of such claims, these speculators secure contracts with the County Boards of Supervisors, by which contracts they may lay claim to a large percentage of the county money in the event of recovery. In consequence of the acts of these speculators, county claims, five, ten, and twenty years back, are resurrected, and presented to the Board of Examiners, suits being threatened in the event of disallowance.

Many claims of this character, approximating the sum of $200,000, are now pending, all of which arose (if they have any real foundation) long prior to my induction into office. The present administration has not only paid all claims properly arising under it and chargeable against it, but even claims due six months prior to its commencement.

What was said by me in my Inaugural Address applicable to a portion of such claims, may be here reiterated:

"The spirit of the county officials which inspires these demands is neither patriotic nor business-like. The officers of the counties should remember that these suits, if successful, will 'return to plague the inventor' in the form of increased taxation. The people of the State will be moreover ultimately compelled to pay through taxation whatever amounts may be expended by the several counties for the compensation of counsel and the payment of the other expenses incident to the litigation; and since the counties form a part of the State, it is clear that they will gain nothing by the litigation, but sustain a loss of whatever sums are paid in their attempts to collect these commissions."

The time for the presentation of claims of every nature by counties and persons against the State should be limited by law. No county claim arising more than six

months prior to any new administration should be permitted to be paid by such administration. It is impossible to obtain proof of the validity of such claims where years elapse before presentation. It is proper, therefore, that a stringent law should be passed for the protection of the State against State claims of whatsoever nature.

DÉBRIS COMMISSION.

The United States Government appropriated $250,000 in order to carry out, in conjunction with the State and its officers, the purposes of the Act of the Legislature of California, approved March 24, 1893, entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such Commissioner," and as amended by an Act of the Legislature passed under the administration of Governor Budd, approved March 17, 1897 (Stats. of 1897, p. 171 *et seq.*).

The plans for the work have been completed by the officers appointed by the Federal Government, and have met with the indorsement and approval of the Débris Commissioner holding this office by appointment of Governor Budd.

These plans, as prepared and completed by the Federal officers, propose a joint expenditure of $800,000 by the United States Government and the State of California in order to fully complete the great work, but the general plan permits the work to be done in sections, some of which sections together will cost $500,000

When the State passed the Acts of 1893 and of 1897, appropriating said sum of $250,000, it was estimated that the whole work could be done for $500,000, and it was deemed proper, in view of the nature of the work proposed, that both the State and Nation should each pay one half thereof.

Accordingly the State Board of Examiners have approved the said plans, with a proviso that the State shall not be liable in any sum in excess of the $250,000 appropriated as aforesaid.

A part of the contemplated work may, therefore, be constructed and completed without further delay.

The Federal plans propose the construction of dams, etc, for the benefit of the important industries of mining and agriculture

It would appear to be conceded that the construction of these works will at least tend to the solution of a long-vexed question between the miner and the farmer, and result in great benefit to the mining counties of the mountains, and the agriculturists of the valleys below, as well as to improve the navigability of the rivers.

While it is not usual for the State to join with the Federal Government in appropriations designed to be used for the improvement of rivers and harbors within its boundaries, still it was thought advisable by the Legislature making the aforesaid appropriations to do so in this instance, because these proposed improvements were designed to go beyond the strict scope of river improvements.

You will observe that, in order to finally complete the work undertaken, either the State alone, or the Nation and State, will be required to furnish $300,000.

It is to be hoped that our Senators and Representatives in Congress may induce the United States Government to make up this shortage without further demands upon the State; but should this be found impossible, and should the National Government insist that the original plan obligated the State to pay one half of the expense of the completed work, then in view of the great benefit to be derived, rather than see the work fail or remain incomplete after the expenditure of $500,000 thereon, of which sum the State has already appropriated $250,000, it would be well, perhaps, to make an appropriation for the payment of one half of such balance.

Again, the particular mining counties to be also benefited by this improvement, having for many years uncomplainingly paid taxes into the State Treasury, and having so much less direct benefit than the rest of the State incident to public expenditures upon State buildings, etc, for which all of the mountain counties paid their proportions with the rest of the State, it is but just, perhaps, that they should be accorded some extra consideration in this especial instance, inasmuch as our rivers, and valley lands likewise, will be greatly improved by the proposed work.

STATE HOSPITALS FOR THE INSANE.

So far as it has been possible for the State Lunacy Commission to control and regulate the internal management of the State Hospitals for the Insane, its efforts have been very effective, but it must be remembered that the Managers of the several Hospitals hold for terms, and that the Governor has no power of removal or change of such Managers This is true of all subordinate State officers holding for fixed terms. At the extra session of 1900 upon my recommendation the Act to establish a State Lunacy Commission approved March 31, 1897, was so amended as to allow the Commission to fix the salaries of all officers and employés of the several State Hospitals for the Insane This most salutary measure enabled the Commission subsequently to arrange uniform salaries for such officials, and to make reductions amounting to nearly $20,000 annually It was found, however, necessary, on account of the increased number of patients, and because of the previous limited service, which had sometimes permitted escapes from the asylums, to apply much of this saving in the employment of additional subordinate attendants, as well as to secure the services of female physicians The number of patients in the asylums of this State is 5,311, of which 1,960 are females.

While some abuses remain which require attention at the hands of the Boards of

Managers (which it is to be hoped will soon be removed), yet on the whole the State Hospitals for the Insane, so far as it has been possible for the present administration to deal with the questions, are much better managed than ever before.

FEMALE PHYSICIANS APPOINTED.

At the inception of my administration I perceived the necessity of employing female physicians in the State Hospitals for the Insane, on account of the large number of female patients. I laid the matter before the Lunacy Commission, and I am pleased to say that the plan met with the hearty approval of the members of the Commission, and two female physicians were appointed, after due examination as to their qualifications—one being assigned to Napa, and the other to Stockton, and duty required them to visit the other State asylums

The appointment of these female physicians was only made possible by the reduction by the Lunacy Commission in the salaries of the officers and employés of the asylums, by reason of the amendment to the law passed pursuant to the proclamation at the extraordinary session of 1900.

PRIVATE ASYLUMS FOR INSANE AND FEEBLE-MINDED PERSONS.

Grievous wrongs have been sometimes reported of the misuse of private asylums for insane and feeble-minded persons Such private asylums are, when rightly conducted, of great benefit to the relatives of unfortunates, who are enabled to have proper care taken of incompetents, without subjecting the patients to the publicity which accompanies their custody in the State Hospitals; but as forcible detention of the unfortunates is necessary in all cases, it sometimes happens that such asylums are used as engines of great oppression. There may arise cases where certain sane and competent persons may be duped and coerced by designing persons interested in securing their property, or interested in their incarceration for other purposes. Because of the possible danger of such felonious coercion, I recommend that the law be amended so that the State Lunacy Commission may have the power, upon inquiry and investigation, of liberating all competent persons therein confined.

In this connection I suggest that like power be vested in the said Lunacy Commission of liberating all competents found in any of the State Hospitals. As the law now stands, a court proceeding must be first had, in order to determine the question of competency, before liberation, where the superintendent refuses to discharge the inmate. Human life, liberty, and human reason cannot be too strongly protected.

DEPORTATION OF JAPANESE.

The following is a report to me by the secretary of one of the State Boards of a saving to the State through the action of the State Lunacy Commission in causing the deportation from the State of certain insane Japanese subjects, to wit:

Hospital.	No of Japs.	July 7, 1899. Cost of Deportation.	Cost of Maintenance for One Year.
Stockton	5	$441 60	$637 00
Napa	5	478 85	672 80
Agnews	5	471 85	685 05
Mendocino	3	120 00	403 67
Southern California	1	87 15	155 90
	19	$1,599 95	$2,654 42

"The cost of maintenance for one year is based on the per capita cost of each hospital for the fiscal year ending June 30, 1899.

"Figuring on recoveries at the rate of 20 per cent will give us 15 2 who would probably have been maintained, say twelve years, or average life of insane in hospitals, at an average cost of $140 per year, or $25,536 for the 80 per cent who would have been maintained; deducting from this the cost of deportation ($1,599 95) gives us $23,936 05, net saving to the State."

It will be the endeavor of this administration to induce the various foreign consuls to take care of their insane citizens confined in our insane asylums by deportation to their respective countries.

QUARANTINE AGAINST THE INSANE FROM OTHER STATES AND FROM OTHER COUNTRIES.

The means sometimes adopted of spiriting into our State Hospitals the insane of other States and of foreign countries should not be tolerated

The State Hospitals are in part maintained by the taxation of our own people in charity to those in our midst who are or may become demented. It is not right, therefore, that residents of other States should, as has been sometimes done, secretly carry their insane into this State, to be supported at the expense of the taxpayers of this State.

I suggest that some measures be passed empowering the State Lunacy Commission to effectually quarantine against the insane of other States and other countries.

PARDONS, REPRIEVES, AND COMMUTATIONS.

The most painful duty which comes within the province of the Executive is to decide upon petitions for pardon, reprieve, and commutation.

There are now pending before me about two hundred different applications for pardon. Perhaps seventy-five per cent have some circumstances appealing for clemency. The tendency of the human mind is not to resist, but to yield, to the appeals of unfortunate criminals and their heart-broken relatives.

There is a higher duty which the Executive owes to the people. He must not allow his personal sympathies to be swayed. The law-abiding people of the State require protection. Crimes, whether due to weakness of nature or to cool deliberation, must be punished. To liberate criminals upon the appeal of relatives in all instances where the convicts have repented and have served very long and severe sentences, would be practically to declare that crimes should not be punished. Influence savoring of a political character, which is sometimes attempted, is most objectionable, and should never be the key to Executive clemency. Appeals to me of this nature will result, as in the past, in speedy denials.

In nearly fifty per cent of the cases which have been presented, the applications are accompanied by a petition signed by the jury which convicted the criminal, and by a letter of the trial judge, expressing his opinion that the sentence imposed was perhaps too severe, or that the ends of justice would be subserved by the liberation of the convict.

This means of attempting to shift the responsibility of a severe sentence upon the Executive is not an argument which can have much effect upon me, where the trial has been presumably a fair one, and where the evidence tends to prove the guilt of the accused.

Judges are sworn to do their duty. The trial judge has the case before him, with the living witnesses, whose demeanor and words bear the impress of truth or falsehood. The judge has heard the case, and while the jury may convict, the power of granting a new trial still rests with him.

Under these circumstances, acting upon the presumption that the sworn officers of the law have done their duty, I have steadfastly disregarded such appeals in clear cases.

I have patiently examined each case in the light of my duty to the people, and while my heart has many times urged me to sign the paper which would bring joy to the prisoner and to his anxious friends, yet my oath of office and my responsibility to the people to maintain the law, have demanded a different course.

The number of pardons, reprieves, and commutations during the last two years of my administration is, I regret, necessarily small—only one pardon being granted. The following is the list:

First—William Nagel, a butcher by trade, over seventy years of age, in the month of January, 1899, in the Superior Court of Modoc County, pleaded guilty to the crime of furnishing liquor to an Indian, and was sentenced to eight months' imprisonment in the county jail of Modoc County. A petition for his pardon, signed by many leading business and professional men of Modoc County, and by many of the county officials, was duly presented to me. The District Attorney joined in the petition for clemency, and the Judge who tried the cause waived in writing all objection to Executive clemency. A full pardon was granted by me to William Nagel on the second day of June, 1899, for the following reasons: It satisfactorily appeared to me from the papers and evidence submitted that the Indian to whom the liquor was furnished sustained no tribal relations; that the time of furnishing the liquor by Nagel was on one of the Christmas holidays; that Nagel was so intoxicated at the time as not to know the nature of the act he was committing; and the liquor was furnished, not for profit, but as an act of drunken generosity. It further appeared that Nagel had borne a good reputation, was honest, industrious, law-abiding, and patriotic, and was a veteran of both the Mexican and Civil Wars It appeared, further, that upon the facts, had he been tried before a jury, he would have been in all probability acquitted. It appeared, also, that longer detention would in all likelihood impair seriously his health, and he had, at the time the pardon was granted, served more than five months of his sentence.

Second—Ysabel Molina, a Mexican subject, was convicted in Kern County of the crime of murder in the first degree for the killing of Amelıano Ramos, a Mexican or Indian, at Bakersfield, in December, 1897, and was on December 11, 1899, sentenced by the Judge of the Superior Court to be executed at the prison of San Quentin on January 12, 1900. On the 31st day of December, 1899, I received a telegraphic appeal from the Mexican Ambassador at Washington requesting an examination into the case, and the extension of clemency to the condemned. Upon an examination of the records in the Executive Department, I discovered that certain papers had not been transmitted to me from the Superior Court of Kern County as required by law, and also that it would be necessary, in view of the previous record, that the Supreme Court should pass upon the question of the exercise of clemency Therefore, on January 6, 1900, I reprieved the sentence of the prisoner until April 6, 1900, in order to secure the needed records and to enable a majority of the Justices of the Supreme Court of the State to pass upon the recommendation for clemency. Subsequently, and before the expiration of the reprieve, I submitted all the records transmitted to me bearing upon the case to the Justices of the Supreme Court. On the 3d day of April, 1900, I received from a majority of the Justices of the Supreme Court a recommendation that the sentence of the prisoner be commuted to imprisonment for life as prayed for None of the other Justices of the

Supreme Court indicated an opinion to the contrary. Upon a review of the testimony in the case, I determined that the killing occurred as the consequence of a brawl with the deceased, and that the recommendation of the learned Judges was in conformity with justice Therefore, agreeably to the recommendation of the Supreme Justices, on the 5th day of April, A. D. 1900, I commuted the sentence of Ysabel Molina to imprisonment for life

Third—Harry Winters, convicted of murder in the first degree in San Mateo County, was sentenced to be executed on October 27, 1899, at the State Prison at Folsom. Prior to the date of the sentence, to wit: on October 9, 1899, Warden Aull of the prison died, and the Attorney-General having given his opinion that the sentence could not be carried into effect on October 27, 1899, by reason of the failure of the Prison Directors to elect a new Warden, I therefore on October 26, 1899, reprieved the sentence of said Harry Winters until December 8, 1899, on which day said prisoner was executed according to law—a new Warden having been previously elected

Fourth—George Puttman was convicted of the crime of murder in the first degree for killing a fellow convict in the State Prison at Folsom on September 18, 1900, and was afterward, by an order of the Judge of the Superior Court of Sacramento County, sentenced to be executed at said prison on October 5, 1900. Upon petition by his counsel that he desired to perfect his appeal to the Supreme Court from the judgment of death, and he being by Section 1239 of the Penal Code entitled to sixty days in which to perfect said appeal, and said date of sentence being less than the time allowed defendant by law to perfect his said appeal, on the 3d day of October, 1900, I reprieved the sentence of said prisoner until November 19, 1900, on which day said prisoner was executed according to law.

DEATH PENALTY FOR LIFE CONVICTS FELONIOUSLY ASSAULTING ANY PERSON IN THE STATE PRISONS

The discipline of the State Prisons must be preserved. Prisons are not only intended for the reform of the prisoner and as an example to the lawless element of the community, but likewise for punishment of crimes. The greatest vigilance of the prison officers cannot prevent occasional outbursts of violence where criminals are kept together in such numbers as in this State. It has been a matter of observation that in many cases where desperate convicts have been sentenced to life imprisonment, a spirit of abandon has overcome them Knowing that they are immune from any higher punishment where crimes less than murder are committed by them within the prison walls, they have sometimes feloniously assaulted the turnkeys, guards, and even their fellow prisoners. The case of Jacob Oppenheimer at San Quentin is more notorious and suggestive of the need of legislation than that of Puttman at the Folsom Prison. Oppenheimer, a vicious life prisoner and a ringleader of a few deperate convicts, had made felonious assaults upon guards and fellow prisoners, and on one occasion he attempted to strangle one of the guards On another occasion he deliberately stabbed one of the guards a number of times, inflicting severe wounds. He seemed not to dread the ordinary punishment of the prison. This and other examples of the criminal deeds of life convicts bid me urge the passage of a law which shall make it a crime punishable with death for any life convict to feloniously make an assault with intent to do great bodily harm upon any person.

I am satisfied that the enactment of such a law would tend to sustain the discipline of our State prisons by holding out the dread alternative of death to such of the abandoned life prisoners as devote their spare moments to the hatching of infamous plots.

NUMBER OF STATE PRISONERS.

The number of prisoners confined in the State Prisons is 2,045, of which number 1,293 are confined in San Quentin, and 752 in Folsom. Of these 2,045 State prisoners only *nineteen* are women—these latter being confined in the State Prison at San Quentin. This exceeding small number of female convicts, unparalleled in any State in the Union, is a splendid testimonial to the character of the women of California.

POWERS OF THE STATE PRISON DIRECTORS IN PAROLING PRISONERS SHOULD BE EXTENDED.

There are frequently appeals made on behalf of State prisoners who are not permitted to be paroled under the provisions of an Act of March 23, 1893, entitled "An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners," and yet whose cases are so worthy as to impress the Governor that their behavior would indicate a complete reform. Yet as the conduct of such prisoners would not without a test justify the Executive in granting a full or even a conditional pardon, it would appear just that such prisoners should be tried by a limited parole, with full power on the part of the Executive at any time of terminating the parole granted by the State Board of Prison Directors.

I suggest that the powers of the State Board of Prison Directors under the said Act be extended to the granting of such limited paroles to all worthy reformed prisoners; *provided, however*, that no such limited parole be granted until such prisoner shall have served at least two calendar years in one of the State Prisons

CALIFORNIA WAR CLAIMS.

I beg leave here to call your attention to what was said by me in my Inaugural Address on January 4, 1899, respecting the unsettled claims of our State against the

National Government arising out of the Civil War, in order that you may, if you deem such course advisable, pass appropriate resolutions instructing our Senators and requesting our Representatives to urge the passage of a law refunding to the State the money advanced for equipping and paying the California Volunteers

In my Inaugural Address I expressed my convictions as follows:

"The claims of California against the General Government for furnishing, equipping, and paying volunteers during the Civil War, aggregating over $4,000,000, are still unsettled. Various bills have been from time to time introduced in both the United States Senate and House of Representatives, but they have been either abandoned after introduction or referred to committees without final action taken thereon On June 9, 1898, the United States Senate adopted a resolution in the matter of H. R. 4936 respecting these claims, and appointed three Senators, viz: Teller, Pascoe, and Stewart, to confer with the House of Representatives A provision for the payment to this State of $3,951,915.42, in full settlement of California's claims, has been included in the Senate amendment. California cheerfully furnished to the Federal Government soldiers in defense of the Union, and while the nation had the right to this support, it had no right to the money, amounting to over $4,000,000, which the State advanced for the equipment of its volunteers; and this money should now be restored to the State, with interest. Our Senators and Representatives in Congress should be requested to use every lawful effort for the passage of a bill allowing these war claims for at least $3,951,915 42, the amount allowed in the Congressional bill to which reference has just been made. These war claims are both just and equitable, and the State has long and patiently waited for this settlement."

THE PARIS EXPOSITION COMMISSION.

Under the Act of the Legislature approved March 20, 1899, I appointed the three following distinguished citizens of our State as Commissioners to the great Paris Exposition: The Honorables Ben C. Truman, of Los Angeles, W. W. Foote, of San Francisco; E W Runyon, of Red Bluff; all of whom duly qualified according to law, and entered upon the discharge of their duties.

Commissioners Foote and Runyon have recently returned from Paris, but the other Commissioner is still in Europe.

The Commission has not as yet filed with me the report of its proceedings, and in the absence of which I cannot make further official statement.

JUDGMENTS AGAINST THE STATE.

Under the provisions of Section 6 of an Act entitled "An Act to authorize suits against the State, and regulating the procedure therein," approved February 28, 1893 (Stats. 1893, p. 58), it becomes my duty to report to your honorable bodies all judgments rendered against the State and not heretofore reported.

The following is a list of such judgments which has been brought to my knowledge by the Attorney-General.

First—"James C Daly, plaintiff, vs. State of California, defendant. By complaint in Superior Court, City and County of San Francisco, for $10,000, legal services in S. P. Co. vs. Board of Railroad Commissioners. Judgment for plaintiff, September 3, 1898, for $11,050 and interest until paid. Stipulation waiving appeal filed November 4, 1898. Closed."

From communications received from Mr. D. E. Collins, it is made to appear that the above judgment was at some time assigned to the California Bank of Oakland, but of the correctness of this information I have no knowledge from the records.

Second—"J. R. Hanify, plaintiff, vs State of California, defendant. Justice's Court, City and County of San Francisco. No. 91,512 Complaint filed June 25, 1896, to recover $197 70 damages caused to a lot of shingles dumped into San Francisco Bay by collapse of Fremont Street wharf. Cause tried and submitted December 20, 1898. On February 7, 1899, judgment rendered for plaintiff for $197.70 damages and $63 costs. Records of Court show no satisfaction or assignment of judgment"

Third—"The People of the State of California, by Tirey L Ford, Attorney-General of said State, plaintiff, vs Pacific Land Improvement Company (a corporation) and Emil Wickman, defendants Superior Court, Los Angeles County. No. 33,738. Complaint filed October 25, 1899. Action to quiet title to certain lands in the town of Santa Fé Springs, County of Los Angeles, dedicated as a public park. Cause tried December 5, 1899, and on that date judgment rendered for defendants, because of insufficient proof of acceptance by the public"

ECONOMIC REFORM REQUIRED.

My efforts to fulfill my pre-election pledges of giving the people an economic government were sustained by the excellent body of Senators and Assemblymen who sat in the thirty-third legislative session. I am satisfied, however, that the members of the present Legislature, if you will only resolve so to do, can surpass the good work of the preceding Legislature, by urging still further economic reform. The times are auspicious. The people of our State have been just disburdened from years of depression. The recent election has demonstrated how near President McKinley is to the hearts of the people, and how fully his foreign and domestic policy reflects their wishes The Philippines, a key to Oriental commerce, being now American territory, will enrich and build up the varied industries of this State.

It is right, therefore, that no reactionary depression should be developed by the imposition of a heavy tax rate through excessive appropriations or otherwise. Let the buoyant feeling which inspirits alike the laborer and the merchant, the farmer and the banker, continue unchecked, so that business activity may not be marred by the shadow of a too greedy tax-gatherer

It lies with you, as legislators, to so apportion the State's money that all proper debts may be paid and the wants of all public institutions be sufficiently, but not extravagantly, supplied.

CONCLUSION.

It is impossible in a message to call attention to all the necessities of the State, and as you are each acquainted with a particular district and with its actual needs, I will be pleased at all times during the session to confer with you as to all such needs, so that the legislative and executive departments may intelligently cooperate in an economic government, by giving the people the lowest rate of taxation in the history of the State.

In view of the number of appropriations necessary to pay the current expenses of government, the maintenance of the several public institutions, and the various just claims against the State, I invoke your honorable bodies to exercise rigid economy in the matter of small as well as large expenditures, for extravagance in the management of the State may grow great by the unnecessary addition and multiplication of what may appear to be small items.

I most respectfully again request that a close examination may be made of each measure, both in the House as well as in the Committee, before it receives your final sanction. Perfection in legislation we cannot expect, but if the lawmakers be earnest and active, and if the laws passed be intrinsically just, their object conformable with the prevalent public spirit, and if they be expedient, then will such measures contribute to the public welfare.

The subordination of self to public obligation is the first duty of the legislator. Good laws are the forceful expressions of the public will. To recognize the equity of the law and to so frame its provisions as to be adapted to the general welfare, the legislator should advise himself of the dominant sense of public right. When the individual conscience of the legislator harmonizes with the public conscience, the unfoldment of law is both easy and reasonable, and the legislation is commensurate with the public good and public demands.

Obeying the dictates of right conscience, and swayed by our sacred official oaths, let us patriotically, zealously, and economically labor together, so as to assist in the highest development of the State.

HENRY T. GAGE,
Governor of the State of California

RESOLUTIONS.

By Mr. Anderson of Solano:

Resolved, That one thousand copies of the Governor's message be printed for general distribution.

Adopted.

By Mr. Melick:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to rent six typewriting machines for the use of the stenographers of the Assembly; and the Controller of State is authorized to draw his warrant for the amount of the rental, and the Treasurer is directed to pay the same out of the fund for the contingent expenses of the Assembly.

Adopted.

By Mr. Henry:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized and directed to purchase for the use of the Assembly eighty-five copies of Henning's pocket edition of the Constitution, and James H. Deering's Codes of California, and Bancroft's edition of the General Laws, latest publications, the same to be paid out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrants for the same in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the Treasurer is directed to pay the same.

Referred to Committee on Commissions and Public Expenditures.

By Mr. Johnson:

Resolved, That C. W. Kyle be and is hereby appointed to assist the Chief Clerk of the Assembly for one week from date hereof, at the same per diem paid to the Chief Clerk, payable out of the Contingent Fund of the Assembly. The Controller of State is hereby authorized to draw his warrant on the Treasurer therefor, and the Treasurer is hereby directed to pay the same.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins of Butte, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—58.

NOES—Messrs. Cavagnaro, Chiles, Cowan, Feliz, Haley, Hubbard, James, Kincaid, Laird, Levinson, McLoughlin, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, and Sutro—18.

By Mr. Knowland:

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 payment to members, officers, and attachés of the Assembly.

Adopted.

LEAVE OF ABSENCE.

Mr. Collins of San Francisco was granted leave of absence until Friday morning, January 11, 1901.

ADJOURNMENT.

At three o'clock and forty-six minutes P. M., on motion of Mr. Brown of San Mateo, the Assembly adjourned to two o'clock P. M. Wednesday, January 9, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 9, 1901.

The Assembly met at two o'clock P. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

COMMUNICATION.

To the Assembly of the State of California:

GENTLEMEN: I hereby nominate and appoint H. S. Wanzer, James M. Oliver, Clark Alberti, and L. A Hilborn as Assistant Chief Clerks—said appointments to date from and include the seventh day of January, 1901—and ask you to confirm the same.

CLIO LLOYD, Chief Clerk.

Mr Kelley moved that the Assembly do now concur in the recommendation.

The roll was called, and the Assembly concurred by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—75.

NOES—None.

CORRECTION OF JOURNAL.

Mr. Stewart of San Diego moved to correct the Journal of the 8th by inserting on page 4, line 11, the name of Thomas Scott in lieu of D. R. McDonald.

So ordered.

SPECIAL ORDER—CONSIDERATION OF RULES.

Mr. Johnson moved that the reading be dispensed with.

So ordered.

Mr. Johnson moved to amend as follows:

Add after the words and figures at the bottom of page 8 of the Journal: "40. A Committee on Ways and Means, to consist of eleven members," the words and figures "41. A Committee on Immigration, to consist of nine members."

Amendment adopted.

Mr. Dunlap moved to amend the rules as follows:

Where the word "five" appears in the last line of Rule 60, the same shall be struck out, and the word "one" substituted therefor.

Amendment adopted.

Mr. Dunlap moved to amend Rule 70, to read as follows:

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, and employés, shall be admitted within the Assembly Chamber, except in the members' lobby, hereinafter provided for, general lobby, and in the gallery of the Assembly Chamber.

There shall be a members' lobby made by erecting a railing with three gates immediately back of the last row of seats, under the direction of the Speaker The three gates shall be opposite the gates in the first railing, and no person shall be admitted in the space between the two railings except on the written invitation of a member. There shall be a gatekeeper to each of the gates, and the gatekeepers shall go on duty at eight o'clock in the morning, and remain on duty till the close of each day's session. Their time on duty shall be arranged by the Committee on Attachés.

The Speaker is charged with the enforcement of this rule.

Amendment adopted.

On motion of Mr. Dunlap, the rules, as amended, were approved and adopted.

RESOLUTION.

By Mr. Kelley:

Resolved, That the following named persons be and they are hereby elected as attachés of the Assembly, to serve during the thirty-fourth (34th) session, to draw pay from January 7, 1901. Said attachés shall serve in the capacities indicated, and receive the per diem named for each position, which shall be paid out of the fund provided for contingent expenses of the Assembly, payment to be made in the same manner as the statutory officers of the Assembly are paid:

Name	Position	Amt.
H. A. Wright	Enrolling Clerk	$6 00
J. E Dye	Assistant Engrossing and Enrolling Clerk	5 00
J. J Connell	Assistant Bill Clerk	4 00
C. W. Curtis	Assistant Bill Clerk	4 00
J. M. Brower	Assistant Bill Clerk	4 00
C. J. Peterson	Bill Filer	4 00
G. R. Myers	Assistant Minute Clerk	6 00
L. L Duryea	Assistant History Clerk	4 00
W. N. Cunningham	Assistant File Clerk	4 00
Wm. McNamara	Assistant Sergeant-at-Arms	4 50
J. Hocking	Assistant Sergeant-at-Arms in charge of Committee Rooms	4 00
James C. Tyrrell	Assistant Journal Clerk	5 00
Agnes Kelly	Assistant Postmistress	4 00
Henry Thompson	Committee Clerk	4 00
J. D. Pomeroy	Committee Clerk	4 00
J. P. Fay	Committee Clerk	4 00
Fred Jensen	Committee Clerk	4 00
N. B. Walker	Committee Clerk	4 00
Frank Lewis	Committee Clerk	4 00
J. F. Douglas	Committee Clerk	4 00
E. B. Harlan	Committee Clerk	3 00
E. B. Wickham	Page	2 50
Willie Saunders	Page	2 50
George T. Berry	Page	2 50
C. C. Suydam	Cloak Room Attendant	4 00
O. R. Morgan	Elevator Attendant	4 00
Fred Moesch	Electrician	4 00
J. J. Niemore	Porter	3 00
J H. Howell	Porter for Gallery	3 00
J. J. Crowley	Clerk to Democratic minority	5 00
Ed Gehring	Stenographer	5 00
J. H. Watkins	Stenographer	5 00
May Shipley	Janitress	3 00
George Gasper	Engineer	4 00
Thomas F. Sheehan	Fireman	3 00

Pending discussion, Mr. Fisk moved the previous question; the question being, "Shall the main question be now put?"

Seconded by Messrs. Milice and Henry.

So ordered.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins of Butte, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Gulfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—58.

NOES—Messrs Cavagnaro, Chiles, Cowan, Feliz, Haley, Hubbard, Irving, James, Kincaid, Laird, Levinson, McLoughlin, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, Sutro, Williams, and Wright—21.

At two o'clock and fifty minutes P. M., the Speaker called Mr. Anderson of Solano to the chair.

CONSIDERATION OF BILLS.

Mr. Johnson moved that the Assembly consider Assembly Bills Nos. 1 and 2.

So ordered.

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

Mr. Johnson moved that the Assembly do now resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 1.

So ordered.

IN COMMITTEE OF THE WHOLE.

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

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman

Report adopted.

RESOLUTION—(OF URGENCY).

By Mr. Johnson:

Resolved, That Assembly Bill No. 1 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, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 1—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 passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—69

NOES—None.

Title read and approved.

Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative

printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read second time, considered engrossed, and ordered to third reading.

Mr. Kelley moved that the Assembly do now resolve itself into Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 2.

So ordered.

IN COMMITTEE OF THE WHOLE.

Assembly Bill No. 2 was considered in Committee of the Whole.

IN ASSEMBLY.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman.

Report adopted.

RESOLUTION—(OF URGENCY).

By Mr. Kelley:

Resolved, That Assembly Bill No. 2 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, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—73.

NOES—None.

Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read third time.

The question being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins of Butte, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—72.

NOES—None.

Title read and approved.

MOTION.

Mr. Johnson moved to take up the Governor's message.

At three o'clock and fifteen minutes P. M., Speaker Pendleton resumed the chair.

RESOLUTION.

By Mr. Ralston:

Resolved, That a special committee of five be appointed by the Speaker, to whom shall be referred the message of the Governor, with directions to assign the various portions thereof to the proper committee, and to report as speedily as possible.

Adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The Speaker appointed as such committee Messrs. Ralston, Knowland, Brown of San Mateo, Carter, and Cowan.

RESOLUTION.

By Mr. Dunlap:

Resolved, That the Sergeant-at-Arms, under the direction of the Speaker, shall make the changes in the lobby as provided for in Rule 70 of the Rules of the Assembly, the cost of the same to be paid out of the money appropriated for the contingent expenses of the Assembly.

Adopted.

REPORT OF COMMITTEE ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1901.

MR. SPEAKER: Your Committee on Mileage beg leave to report that they have computed the mileage, according to Part II, Title III, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

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

Name.	Residence.	Miles.	Amt.
Anderson, Alden	Suisun	80	$8 00
Anderson, G. H.	San José	256	25 60
Atherton, J. W.	Novato	204	20 40
Barnes, F. W.	Pacific Beach	1,152	115 20
Bauer, H. A.	San Francisco	168	16 80
Bennink, C. H. G.	Ontario	1,216	121 60
Berry, T. J. T.	Crescent City	728	72 80
Bliss, J. A.	Oakland	182	18 20
Brady, M. W.	San Francisco	168	16 80
Broughton, H. A.	Pomona	1,022	102 20
Brown, G. C.	San Francisco	168	16 80
Brown, H. W.	Colma	248	24 80
Butler, John	San Francisco	168	16 80
Carter, H. E.	Los Angeles	956	95 60
Cavagnaro, A. A.	San Francisco	168	16 80
Chandler, W. F.	Fresno	368	36 80
Chiles, J. F.	Davisville	62	6 20
Clarke, R. M.	Santa Paula	966	96 60
Collins, B.	Forest Ranch	118	11 80
Collins, J. F.	San Francisco	168	16 80
Cowan, W. F.	Santa Rosa	282	28 20
Cromwell, F. A.	Petaluma	314	31 40
Dunlap, F. E.	Stockton	96	9 60
Duryea, F. A.	Lincoln	104	10 40
Evatt, W. J.	San Francisco	168	16 80
Feliz, F. P.	Monterey	432	43 20
Fisk, A. G.	San Francisco	168	16 80
Foster, N. K.	Oakland	182	18 20
Franklin, C. R.	San Francisco	168	16 80
Gans, H. S.	Red Bluff	270	27 00
Greer, W. W.	Sacramento	20	2 00
Guilfoyle, W. J.	San Francisco	168	16 80

Name	Residence	Miles	Amt.
Haley, J. W.	Merced	228	$22 80
Hanen, Wm.	Point Arena	510	51 00
Hasson, D. W.	Buena Park	1,056	105 60
Henry, L. A.	San Francisco	168	16 80
Higby, Wm.	Hollister	350	35 00
Hourigan, J. J.	San Francisco	168	16 80
Hubbard, J. A.	Anderson	378	37 80
Irish, J. B.	Downieville	238	23 80
Irving, S. W.	Pilot Hill	134	13 40
James, F	Los Angeles	956	95 60
Johnson, G. L.	Sacramento	1	10
John, W. M.	San Luis Obispo	586	58 60
Kelley, J. McD.	Oakland	182	18 20
Kincaid, F. H.	Escalon	140	14 00
Knight, E. D.	San Francisco	168	16 80
Knowland, J. R.	Alameda	192	19 20
Laird, J. W. P.	Bakersfield	556	55 60
Levinson, H.	Visalia	422	42 20
Macbeth, F. D.	San Francisco	168	16 80
Mattos, J. G.	Centerville	236	23 60
McLoughlin, G. J	San Francisco	168	16 80
McNeil, B. H.	Rohnerville	672	67 20
McWade, D. F.	Oakland	182	18 20
Melick, W. S.	Pasadena	966	96 60
Merritt, C. W.	Santa Barbara	990	99 00
Milice, A. S.	Riverside	1,206	120 60
Miller, C. H.	Bodie	632	63 20
Myers, R. H.	Hanford	478	47 80
Pendleton, C. W.	Los Angeles	956	95 60
Radcliff, G. G.	Watsonville	450	45 00
Ralston, W. C	Robinson Ferry	184	18 40
Ray, N. C.	Coulterville	372	37 20
Reeber, L. F.	Sacramento	1	10
Roberts, M. P.	Arcata	648	64 80
Rutherford, F. M.	Truckee	318	31 80
Savage, W. H.	San Pedro	1,004	100 40
Schillig, L.	Yuba City	104	10 40
Schlesinger, B.	San Francisco	168	16 80
Sheridan, T. J.	Lakeport	408	40 80
Simpson, M.	Academy	382	38 20
Stewart, C. R.	Nestor	1,160	116 00
Stewart, F. L.	Jackson	118	11 80
Sutro, O.	San Francisco	168	16 80
Treadwell, E. F.	San Francisco	168	16 80
Walker, G. S.	Los Gatos	272	27 20
Webber, E. L.	Napa	122	12 20
Williams, A.	Walnut Creek	202	20 20
Wright, Eli	Two miles from San Jose	260	26 00

ATTACHÉS.

Name	Position	Amt.
John Kofod	Porter	$6 00
Charles P. Savey	Porter	6 00
John Wilkins	Porter	6 00
William Price	Porter	6 00
William Saunders	Watchman	6 00
Daniel McPartland	Assistant Sergeant-at-Arms	10 00
Julius Voisinet	Postmaster	8 00
J. J. Hall	Gatekeeper	6 00
J. Hocking	Gatekeeper	6 00
H. H. Squires	Gatekeeper	6 00
Emmet Rhoads	Page	5 00
R. M. Rodgers	Page	5 00
Ralph Schluer	Page	5 00
C. W. Kyle	Chief Clerk, mileage, and two days	32 80
W. O. Banks	Sergeant-at-Arms, mileage	16 80
R. Q. Wickham	Minute Clerk, mileage	96 80

RADCLIFF, Chairman,
COWAN,
HENRY,
Committee.

Mr. Fisk moved that the reading be dispensed with; that the report

be published in the Journal, and the same be made special order for to-morrow, immediately after reading the Journal.

So ordered.

RESOLUTIONS.

By Mr. Kelley:

Resolved, That the Sergeant-at-Arms be empowered and he is hereby authorized to purchase such additional 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. Brady:

Resolved, That the State Printer be and he is hereby directed to immediately print letterheads and envelopes for the members of the Assembly and the committees thereof, and that the members of the Assembly and the chairmen of the committees shall leave their orders for such letterheads and envelopes with the Chief Clerk of the Assembly.

Adopted.

By Mr. Stewart of Amador:

Resolved, That the Sergeant-at-Arms be instructed to contract for telephones for the use of the members and Clerk, and that the expense be paid out of the Contingent Fund of the Assembly, and that the Controller be directed to draw his warrant for the same.

Read, and referred to Committee on Commissions and Public Expenditures.

By Mr. Schillig:

Resolved, That 500 copies of the rules be printed, for the use of the members of the Assembly, under the direction of the Chief Clerk.

Adopted.

INTRODUCTION OF JOINT RESOLUTION.

By Mr. Kelley: Assembly Joint Resolution No. 2—Relative to Chinese immigration.

Read, and referred to Committee on Immigration.

RESOLUTIONS.

By Mr. Kelley:

Resolved, That the following-named person be and he is hereby elected an attaché of the Assembly, to serve during the thirty-fourth session, pay beginning January 7, 1901. Said attaché shall serve in the capacity indicated, and receive the per diem named for such position, which shall be paid out of the fund provided for contingent expenses of the Assembly, payment to be made in the same manner as the statutory officers of the Assembly are paid: John Kofod, Porter to Sergeant-at-Arms, $3.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins of Butte, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—68.

NOES—None.

By Mr. Melick:

Resolved, That when it becomes necessary for intelligent legislation that any institutions of California shall be visited by members of this Assembly, that not more than

three members of any one committee shall go on such trip, and that instead of mileage such committeemen shall be allowed actual expenses only for such trip.

Read, and referred to Committee on Mileage.

By Mr. James:

Resolved, That the Sergeant-at-Arms furnish to each regularly accredited representative of the press having a seat on the floor of this House, copies of all bills, resolutions, and other documents the same as they are furnished the members of the Assembly.

Adopted.

MOTION.

Mr. Milice moved to take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 7, 1901.

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

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

President pro tem.—Thomas Flint, Jr.
Secretary—F. J. Brandon.
Sergeant-at-Arms—J. Louis Martin.
Chaplain—W. C. Evans.
Assistant Secretary—F. L. Thomas.
Assistant Secretary—I. S. Logan.
Assistant Secretary—F. C. Michaelis.
Minute Clerk—E. F. Mitchell.
Assistant Minute Clerk—D. G. Holt.
Assistant Minute Clerk—J Carew.
Assistant Minute Clerk—George Donahue.
Assistant at Desk—L. E. W. Pioda.
Assistant Sergeant-at-Arms—L M. Bettman.
Assistant Sergeant-at-Arms Finance Committee—James Sargeant.
Assistant Sergeant-at-Arms Judiciary Committee—J. J. Sullivan.
Assistant Sergeant-at-Arms—John R. Kennedy.
Bookkeeper to Sergeant-at-Arms—C. E. Williams.
Journal Clerk—W. F. Mixon.
Assistant Journal Clerk—T. Marios.
Assistant Journal Clerk—Sam Wacholder.
Engrossing and Enrolling Clerk—J. J. Breen.
Assistant Engrossing and Enrolling Clerk—F. Barnet.
Assistant Engrossing and Enrolling Clerk— W. H. Dickinson.
Assistant Engrossing and Enrolling Clerk—G. B. Keane.
History Clerk—Emmett Phillips.
Assistant History Clerk—Geo. M. Trowbridge.
Bill Filer—R. B. Goodsell.
Bill Filer—C. Metcalf.
Bill Filer—Chas. Tuttle.
Bill Clerk—Geo. Easton.
Bill Clerk—John Lawless.
Bill Clerk—Wilbur Lanktree.
Bill Clerk—Jos. Villar
Postmistress—Miss L. M. Luchsinger.
Assistant Postmistress—Miss C. Ayres.
Mail Carrier—J. E. Atkinson.
Mail Carrier—Thos. Mulvaney.
Gatekeeper—Jas Brown.
Gatekeeper—J. Blodgett.
Gatekeeper—M. D Rine.
Doorkeeper—L. Ortega.
Gallery Doorkeeper—A. L. Tilton.
Messenger to State Printer—Jas. Vail.
Messenger to State Printer—J. Sampson.
Cloak Room Clerk—James Bishop.
Stenographer—G. B. Snyder.
Stenographer—Kitty Curley.
Stenographer—Spencer Riley.
Watchman—J H Bailey.
Watchman—Richard Parker

Watchman—H. Marks.
Press Mailing Clerk—J. M. Williamson.
Press Mailing Clerk—Miss Ella Maloney.

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

Also:

SENATE CHAMBER, SACRAMENTO, January 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Joint Resolution No 1—Relative to a quarantine against the introduction of insect pests and plant diseases.

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

SENATE JOINT RESOLUTION No. 1.

Relative to quarantine which the State has maintained against the introduction of insect pests and plant diseases.

WHEREAS, The quarantine which this State has maintained against the introduction of insect pests and plant diseases has been of unmeasurable benefit to our horticultural and agricultural interests; and

WHEREAS, There is now before Congress a bill which was introduced by Hon Mr. Wadsworth and is entitled "H. R. Bill No. 96," and which bill provides for a national quarantine against such pests and plant diseases; and

WHEREAS, The operation of this bill would be very beneficial to the horticultural interests, and especially to the citrus fruit industry; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully, but urgently, request the Congress of the United States to enact said bill (H. R. No. 96) at its present session, thereby securing to our horticultural interests immunity from further insect enemies and to the citrus fruit-growers freedom from the introduction of the orange fruit maggot.

Resolved, That the Chief Clerk of the Assembly be directed to immediately telegraph these resolutions to the Honorable President of the Senate and the Honorable Speaker of the House of Representatives of the United States.

Senate Joint Resolution No. 1 read, and adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—74.

NOES—None.

RESOLUTION WITHDRAWN.

Mr. Milice was granted unanimous consent to withdraw Assembly Joint Resolution No. 1.

ADJOURNMENT.

At three o'clock and forty-five minutes P. M., on motion of Mr. Johnson, the Assembly adjourned to eleven o'clock A. M. of Thursday, January 10, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 10, 1901.

The Assembly met at eleven o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Millice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

SPECIAL ORDER.

The report of the Committee on Mileage, as published in yesterday's Journal.

Mr. Radcliff moved to amend as follows:

Strike out from the report of the Committee on Mileage, under the sub-head of "Attachés," the names of "John Kofod, porter"; "Wm. Saunders, watchman"; "J. Hocking, gatekeeper"; "Emmett Rhoads, page", "Ralph Schluer, page", and the amounts set opposite their names.

So ordered.

Also:

Strike out the figures "228," "$22 80," from the amount and miles accredited to J. W. Haley, and insert the figures "348" and the amount allowed "$34.80."

So ordered.

Mr. Collins of Butte moved to amend the report by making his mileage 236 instead of 118, and the amount $23.60 instead of $11.80.

So ordered.

Mr. Johnson moved to amend by striking out his name, mileage, and amount.

So ordered.

Mr. Reeber moved to amend by striking out his name, mileage, and amount.

So ordered.

Mr. Stewart of Amador moved to amend as follows:

Strike out the figures "118" and "$11.80" from the amount and miles accredited to F. L. Stewart, and insert in lieu thereof the figures "134" and the amount allowed "$13.40."

So ordered.

On motion of Mr. Radcliff, the report of the Committee on Mileage, as amended, was adopted.

RESOLUTION.

By Mr. Melick:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $109 50 in favor of W. O Banks, Sergeant-at-Arms of the Assembly, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly The same being for services rendered by employés during the temporary organizing of the House.

Adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Broughton: Assembly Bill No. 3—An Act to provide for the rebuilding, repairing, equipping, and furnishing the refectory building of the Whittier State School located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read first time.

Referred to Committee of the Whole House.

CONCURRENT RESOLUTION.

By Mr. Kelley:

ASSEMBLY CONCURRENT RESOLUTION No. 1.

Resolved by the Senate and Assembly of the State of California, jointly, That Isaias W. Hellman, Claus Spreckels, William Alvord, F. W. Dohrmann, A A. Watkins, Charles Nelson, Robert J. Tobin, and J. L. Flood, the members of the State Relief Committee for the Texas sufferers appointed by His Excellency Henry T. Gage, Governor of the State of California, having given prompt and unselfish devotion to the humane work of arranging and furnishing aid from the sympathetic people of the State of California to the distressed citizens of Galveston, Texas, who were stricken by the awful devastation and storm of the 7th and 8th days of September, A D. 1900, are hereby tendered the thanks of the Legislature of the State of California in appreciation of their diligence in relieving fellow-countrymen prostrated by calamity; be it

Further Resolved, That the Secretary of the Senate, upon the Assembly concurring in this resolution, send a copy of it to each of the members of the State Relief Committee, attested by the President of the Senate, the Speaker of the Assembly, and the Secretary and Clerk of the Senate and Assembly, respectively, with the common seal affixed, as a testimonial.

Read and adopted.

RECESS.

At eleven o'clock and thirty minutes A. M., Mr. Johnson moved that the Assembly do now take a recess until four o'clock P. M.

REASSEMBLED.

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

Speaker Pendleton in the chair.

Quorum present.

INTRODUCTION OF JOINT RESOLUTIONS—(OUT OF ORDER).

By Mr. Brown of San Mateo: Assembly Joint Resolution No. 3—Relative to recommending the enactment of legislation by Congress for the protection of the forests on Government lands in California.

Referred to Committee on Federal Relations.

By Mr. Butler: Assembly Joint Resolution No. 4—Relative to making upon the Island of Molokai a leper hospital for the care of all lepers in the United States.

Referred to Committee on Federal Relations.

RESOLUTIONS.

By Mr. Levinson:

Resolved, That E. R. Houghton is hereby elected as stenographer to the Democratic minority of the Assembly during the present session, pay beginning January 10, 1901, at $4 per diem, payable out of the fund for contingent expenses of the Assembly in the same manner as statutory officers of the Assembly are paid, and she is hereby elected an attaché of the Assembly.

Mr. Sutro moved to amend by striking out the words "for the Democratic minority."

Lost.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

NOES—Messrs. Cowan, Sheridan, and Sutro—3.

By Mr. Kelley:

Resolved, That the Sergeant-at Arms be empowered and he is hereby authorized to purchase such Keystone patent binders as may be necessary for the use of all the accredited press representatives in the Assembly, 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.

Referred to Committee on Commissions and Public Expenditures.

By Mr. Hourigan:

Resolved, That Leo Salomon be allowed $9 for 3 days' services rendered as doorkeeper for the Republican caucus, payable out of the Contingent Fund of the Assembly. The Controller is authorized to draw his warrant in favor of said Leo Salomon for $9, and the Treasurer is authorized to pay the same.

Referred to Committee on Attachés and Employés.

STANDING COMMITTEES.

The Speaker announced the appointment of the following standing committees of the Assembly for the thirty-fourth session of the Legislature of the State of California:

STANDING COMMITTEES OF THE ASSEMBLY, THIRTY-FOURTH SESSION.

Agriculture—Messrs. Stewart of San Diego (Chairman), Hanen, Walker, Hourigan, Higby, Wiliams, Kincaid.

Attachés and Employés—Messrs. Brown of San Francisco (Chairman), Bliss, Henry, Broughton, McLoughlin.

Banks and Banking—Messrs. Barnes (Chairman), Knowland, Macbeth, Savage, Cowan.

Census and Apportionment—Messrs. Carter (Chairman), Schillig, Greer, Higby, Knight, Ralston, Knowland, Gans, James, Miller, Irving.

Claims—Messrs. Henry (Chairman), Foster, Stewart of Amador, Hourigan, Mattos, Simpson, Sheridan.

Commerce and Navigation—Messrs. Brady (Chairman), McNeil, Barnes, Kelley, Radcliff, Brown of San Francisco, Collins of San Francisco, McLoughlin, Reeber.

Commissions and Public Expenditures—Messrs. Anderson of Solano (Chairman), Hasson, Brady, Treadwell, Melick, Bliss, Irving.

Contested Elections—Messrs. Guilfoyle (Chairman), Savage, Gans, Brown of San Francisco, McWade, Schlesinger, McLoughlin.

Corporations—Messrs. Broughton (Chairman), Webber, Ralston, Anderson of Solano, Schillig, McNeil, Guilfoyle, Schlesinger, McLoughlin.

Counties and County Boundaries—Messrs. Cromwell (Chairman), Bliss, Milice, Collins of Butte, Feliz.

County and Township Governments—Messrs. McWade (Chairman), Brown of San Mateo, Bennink, Rutherford, Webber, Stewart of San Diego, Bauer, Collins of San Francisco, Gans, Roberts, Levinson, Laird, Haley.

Dairies and Dairy Products—Messrs. Myers (Chairman), Roberts, Higby, Stewart of San Diego, Hasson, John, Chandler, Chiles, Kincaid.

Election Laws—Messrs. Macbeth (Chairman), Radcliff, Carter, Merritt, Kelley, Simpson, Sheridan.

Education—Messrs. Gans (Chairman), Foster, Hanen, John, Rutherford, Sutro, Wright.

Engrossment and Enrollment—Messrs. Franklin (Chairman), Anderson of Santa Clara, Berry, Clarke, Mattos, Chiles, Reeber.

Fruit and Vine Interests—Messrs. McNeil (Chairman), Anderson of Solano, Bennink, Chandler, Cromwell, Williams, Levinson.

Fish and Game—Messrs. Collins of Butte (Chairman), McNeil, Higby, Anderson of Santa Clara, Brown of San Francisco, Williams, Sutro.

Federal Relations—Messrs. Knight (Chairman), Knowland, Melick, Broughton, Miller.

Irrigation—Messrs. Milice (Chairman), Melick, Radcliff, Myers, Barnes, Atherton, Chandler, Haley, Ray.

Judiciary—Messrs Johnson (Chairman), Knight, Brown of San Mateo, Dunlap, Gans, Carter, Collins of Butte, Cromwell, Macbeth, Savage, Clarke, Webber, Myers, McWade, Bauer, Fisk, James, Cowan, Laird, Sheridan, Feliz.

Labor and Capital—Messrs Hourigan (Chairman), Guilfoyle, Anderson of Santa Clara, Duryea, Stewart of San Diego, Miller, James.

Manufactures and Internal Improvements—Messrs. Butler (Chairman), Knowland, Dunlap, Hanen, Atherton, Chiles, Irving.

Mileage—Messrs. Evatt (Chairman), Walker, Mattos, Irish, Hubbard.

Military Affairs—Messrs. Bennink (Chairman), Milice, Anderson of Santa Clara, Clarke, Irish, Cowan, Cavagnaro.

Mines and Mining Interests—Messrs. Ralston (Chairman), Irish, Duryea, Rutherford, Stewart of Amador, Chandler, Hubbard, Ray, Laird.

Municipal Corporations—Messrs. Savage (Chairman), Fisk, Walker, McWade, Macbeth, Cowan, James.

Public Buildings and Grounds—Messrs. Rutherford (Chairman), Barnes, Hourigan, John, Foster, Knight, Butler, Collins of Butte, Reeber, McLoughlin, Feliz.

Public Health and Quarantine—Messrs. Hasson (Chairman), Foster, Franklin, Hourigan, Evatt, Cavagnaro, Kincaid.

Public Lands and Forestry—Messrs. John (Chairman), Hasson, Myers, Bauer, Laird.

Public Morals—Messrs. Webber (Chairman), Knight, McNeil, McWade, Brady, Savage, Johnson, Simpson, Ray.

Public Printing—Messrs. Kelley (Chairman), Dunlap, Fisk, Henry, Butler, Sheridan, Kincaid.

Public Works, State Capitol, and Parks—Messrs. Collins of San Francisco (Chairman), Evatt, Butler, Bliss, Atherton, Wright, Levinson.

Revision and Reform of Laws—Messrs. Treadwell (Chairman), Mattos, Duryea, Clarke, Broughton, Stewart of Amador, Schillig, Irish, Schlesinger, Sutro, Wright

Roads and Highways—Messrs. Merritt (Chairman), Greer, Carter, Collins of Butte, Berry, Mattos, Stewart of Amador, Clarke, Ray, Haley, Williams.

Rules and Regulations—Messrs. Dunlap (Chairman), Johnson, Ralston, Schlesinger, Mr Speaker.

State Hospitals and Asylums—Messrs. Schillig (Chairman), Bennink, Webber, Dunlap, Radcliff, Macbeth, Henry, Guilfoyle, Miller, Cowan, Wright.

State Library—Messrs. Bauer (Chairman), Walker, Treadwell, Melick, Levinson.

State Prisons and Reformatory Institutions—Messrs. Irish (Chairman), Savage, Brady, Brown of San Mateo, Merritt, Evatt, Franklin, Schlesinger, Simpson.

Swamp and Overflowed Lands and River Improvements—Messrs. Greer (Chairman), Radcliff, Merritt, Cromwell, Milice, Berry, Haley, Reeber, Sutro.

Immigration—Messrs. Roberts (Chairman), Atherton, Berry, Brown of San Mateo, Collins of San Francisco, Brady, Hanen, Cavagnaro, Hubbard.

Ways and Means—Messrs. Fisk (Chairman), Anderson of Solano, Carter, Schillig, Roberts, Kelley, Greer, Ralston, James, Cowan, Laird.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1901.

MR. SPEAKER: Your committee appointed for the purpose of segregating the different portions of the Governor's message, and referring the subject-matter contained therein to the appropriate committees, reports as follows:

The subject-matter embraced in the subdivisions "Present Need for Economy—Con-

stitutional Amendments," on page 15 of the Journal; "Abolition of the Office of Commissioners for the Promotion of Uniformity of Legislation in the United States," on page 27; "Inventory of State Property," on pages 27 and 28; "Scandals in State Dental and Pharmacy Boards," on pages 28 and 29; and "Claims of Counties against the State," on pages 30 and 31 of the Journal, be referred to the Committee on Judiciary.

The subdivision entitled "Necessity for the Exclusion of Chinese and Japanese Laborers," on page 16 of the Journal, be referred to the Committee on Immigration.

The subdivision entitled "Bubonic Plague Scare" on pages 17 to 19, inclusive, and the subdivision entitled "California War Claims," on page 35 of the Journal, be referred to the Committee on Federal Relations.

The subdivisions entitled "Extreme Danger from the Importation and Handling of Plague Bacilli," on page 20; "Extension of Powers and Duties of the State Board of Health," on page 21; and "Legislation against False Reports Necessary," on pages 21 and 22 of the Journal, be referred to the Committee on Public Health and Quarantine.

The subdivision entitled the "Passage of Laws for the Improvement of the San Francisco Harbor at the Extra Session of 1900," on pages 22 to 25, inclusive, of the Journal, be referred to the Committee on Commerce and Navigation.

All matters pertaining to the subject of the University of California, including the subdivision referring to the Leland Stanford Junior University, commencing on page 25 and ending on page 27 of the Journal, be referred to a special committee to be appointed for that purpose.

The subdivision entitled "Primary Law," on page 28 of the Journal, be referred to the Committee on Elections.

The subdivisions entitled "Pardons, Reprieves, and Commutations," on page 33; "Whittier State School," on page 28; "Death Penalty for Life Convicts Feloniously Assaulting any Person in the State Prisons," "Number of State Prisoners," "Powers of the State Prison Directors in Paroling Prisoners Should be Extended," on pages 33, 34, and 35 of the Journal, be referred to the Committee on State Prisons and Reformatory Institutions.

The subdivision entitled "The National Guard of California," on page 29 of the Journal, be referred to the Committee on Military Affairs.

The subdivision entitled "Débris Commission," on page 31 of the Journal, be referred to the Committee on Mines and Mining.

The subdivisions entitled "State Hospitals for the Insane," "Female Physicians Appointed," "Private Asylums for Insane and Feeble-Minded Persons," "Deportation of Japanese," and "Quarantine against the Insane from other States and from other Countries," on pages 31, 32, and 33 of the Journal, be referred to the Committee on State Hospitals and Asylums.

The subdivision entitled "Judgments against the State," on page 25 of the Journal, be referred to the Committee on Claims

The subdivision entitled "The Paris Exposition Commission," on page 35 of the Journal, be referred to the Committee on Commissions and Public Expenditures.

RALSTON, Chairman.
COWAN.
KNOWLAND.
CARTER.
BROWN, H. W.

Report adopted.

Mr. Cowan moved that the special committee referring to the University of California and the Leland Stanford Junior University, recommended in the Governor's Message, consist of seven members, to be appointed by the Speaker.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 10, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, the following: Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer—and respectfully ask your concurrence in the same.

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

Assembly Bill No. 2—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

SENATE AMENDMENT.

Amend by inserting after the word "fund," line two: "To the State Printing Fund."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins of Butte, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

NOES—None.

Assembly Bill No. 2 ordered to reprint and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 9, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 1—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 of Senate.
By F. L. THOMAS, Assistant Secretary.

Assembly Bill No. 1 ordered to enrollment.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Fisk, the Assembly adjourned to nine o'clock and thirty minutes A. M. of Friday, January 11, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER.
Friday, January 11, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—79

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

CORRECTION OF JOURNAL.

The Journals of January 7, 8, and 9, 1901, were read, corrected, and approved.

Mr. Broughton moved to correct the Journal of January 9, 1901, page 5, by adding after the roll call on the passage of Assembly Bill No. 2, the words "Title read and approved."

So ordered.

MOTIONS.

Mr. Johnson moved that when the Assembly adjourns, it do so until Monday at eleven o'clock A. M.

So ordered.

Mr. Broughton moved to take up Second Reading File.

So ordered.

SECOND READING FILE.

Assembly Bill No. 3—An Act to provide for the rebuilding, repaving, equipping, and furnishing the refectory building of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time, considered engrossed, and ordered to third reading.

Mr. Johnson 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. 3.

So ordered.

IN COMMITTEE OF THE WHOLE.

Senate Bill No. 3 was considered in Committee of the Whole.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 3—An Act to provide for the rebuilding, repairing, equipping, and furnishing the refectory building of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

RESOLUTION.

By Mr. Broughton:

Resolved, That Assembly Bill No 3 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, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins of Butte, Collins of San

Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

NOES—None.

Assembly Bill No. 3—An Act to provide for the rebuilding, repaving, equipping, and furnishing the refectory building of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins of Butte, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLaughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—79.

NOES—None.

Title read and approved.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Melick: Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

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

Also: Assembly Bill No. 5—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 referred to Committee on Judiciary.

Also: Assembly Bill No. 6—An Act making an appropriation to pay the claim of A. W. Rapelye against the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 7—An Act authorizing incorporated cities and towns to clean or sprinkle streets, and to remove weeds therefrom.

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

Also: Assembly Bill No. 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

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

Also: Assembly Bill No 9—An Act to regulate the sale of the products of crude oil or petroleum that are used for illuminating and fuel purposes.

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

Also: Assembly Bill No. 10—A proposed Act to enforce the educational rights of children.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 11—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1593, 1615, 1617, 1621, 1622, 1623, 1650, 1667, 1697, 1713, 1714, 1768, 1817, 1818, 1819, 1830, 1858, 1875, and 1882 of the Political Code of the State of California, relating to public schools.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelley: Assembly Bill No. 12—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

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

Also: Assembly Bill No. 13—An Act to repeal an Act entitled "An Act making it unlawful to refuse admission to places of amusement," approved March 23, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Broughton: Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts.

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

Also: Assembly Bill No. 16—An Act to regulate the sale of commercial fertilizers, or material used for manurial purposes, and to provide penalties for the infraction thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Schlesinger: Assembly Bill No. 17—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages for personal injuries resulting in death, and interest on verdicts for such damages.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 18—An Act to amend Section 629 of the Civil Code of the State of California, relating to gas to be supplied on written application, and damages for refusal.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as Secretary of State of California," No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant,

vs. Charles F. Curry, as Secretary of State of the State of California, defendant and respondent," and numbered San Francisco No. 2442.

Read first time, and referred to Committee on Claims.

By Mr. Schullig: Assembly Bill No. 20—An Act to amend Sections 328, 352, 357, 358 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time of commencing actions, and to repeal all Acts and parts of Acts inconsistent with this Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa county jail, in August, 1897.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 22—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments.

Read first time, and referred to Committee on Claims.

By Mr. Berry: Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874.

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

Also: Assembly Bill No. 26—An Act to add a new section to the Penal Code, to be known as Section 539, and relating to persons violating their contracts with liverymen.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 27—An Act making an appropriation for the purpose of placing a flume and flood-gates at the mouth of Lake Earl, in Del Norte County, and providing for the manner of its expenditure.

Read first time, and referred to Committee on Manufacturing and Internal Improvements.

By Mr. Stewart of Amador: Assembly Bill No. 28 - An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

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

Also: Assembly Bill No. 29—An Act appropriating money for

improvement and repairs of the laundry at the Preston School of Industry.

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

Also: Assembly Bill No. 30—An Act to amend Section 1474 of the Code of Civil Procedure, relating to the vesting of the homestead declared during coverture.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 31—An Act to amend Section 370 of the Code of Civil Procedure, permitting married woman to sue and be sued alone, without the joinder of the husband.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 32—An Act to amend Section 352 of the Code of Civil Procedure as to persons under disabilities not being affected by the running of the statute of limitations.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 33—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto a new section, to be known as Section 2022, authorizing the taking of a deposition where the adverse party has not appeared, and providing the proceeding.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 34—An Act to amend Section 849 of the Code of Civil Procedure, relating to service of summons in Justice Court actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Duryea : Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 36—An Act to amend Section 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 37—An Act to repeal Section 1401 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 38—An Act to amend Section 148 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Foster: Assembly Bill No. 41—An Act to provide for a segre-

gated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

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

Also: Assembly Bill No. 42—An Act providing for the listing and appraisement of property exempt from taxation, and reporting the same to the Legislature.

Read first time, and referred to Committee on Judiciary.

By Mr. Collins of San Francisco: Assembly Bill No. 43—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered the State Quarantine Office, as messenger and clerk therefor during the year 1900; from January, 1900, to September, 1900, inclusive.

Read first time, and referred to Committee on Claims.

By Mr. Roberts: Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

Read first time, and referred to Committee on Judiciary.

By Mr. Merritt: Assembly Bill No. 45—An Act making an appropriation to pay the deficiency for pay of officers and clerks of the Assembly for the thirty-third session, fiftieth fiscal year.

Read first time, and referred to Committee on Claims.

By Mr. Irish: Assembly Bill No. 46—An Act to provide for the apportionment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his directions in the discharge of his duties as such commissioner, and to repeal certain former Acts relating to the subject-matter of this Act.

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

Also: Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

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

Also: Assembly Bill No. 48—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

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

Also: Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

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

Also: Assembly Bill No. 50—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama.

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

Also: Assembly Bill No. 51—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

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

By Mr. Milice: Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Clarke: Assembly Bill No. 54—An Act to amend an Act entitled "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 purposes 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."

Read first time, and referred to Committee on Judiciary.

By Mr. Fisk: Assembly Bill No. 55—An Act to prevent fraud on creditors, and to provide for and regulate the sale, transfer, or assignment of an entire stock, or a considerable portion of a stock, of goods, wares, or merchandise, in a manner otherwise than the ordinary course of trade, and the regular and usual method of business.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

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

Also: Assembly Bill No. 57—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the Attorney-General for the remainder of the fifty-first fiscal year.

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

Also: Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces

Read first time, and referred to Committee on Judiciary.

By Mr. McWade: Assembly Bill No. 59—An Act providing for the appointment and for fixing the bond and compensation and for specifying the duties, powers, and tenure of office of matrons for city and town jails and prisons, where matrons therefor are not otherwise provided for.

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

Also: Assembly Bill No. 60—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897; said new section to be known as Section 25½, and also to amend Section 89 of the above entitled Act, all relating to the subject of matrons for county jails.

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

By Mr. Myers: Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Read first time, and referred to Committee on Dairies and Dairy Products.

By Mr. McNeil: Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

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

By Mr. Webber: Assembly Bill No. 64—An Act to provide for the

erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor.

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

Also: Assembly Bill No. 65—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

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

Also: Assembly Bill No. 66—An Act providing for the acquisition either by purchase or by the exercise of the power of eminent domain of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

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

Also: Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

Also: Assembly Bill No. 68—An Act to amend Section 604 of the Penal Code of the State of California, relating to the malicious injury or destruction of standing crops, grain, cultivated fruits, or vegetables, the property of another.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 69—An Act to repeal Sections 632, 633, and 634 of the Code of Civil Procedure of the State of California, relating to findings of fact and conclusions of law in civil actions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 70—An Act to amend Section 1732 of the Code of Civil Procedure of the State of California, relating to Public Administrators instituting suits and prosecutions to recover property, debts, and papers of decedent.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 71—An Act to amend Sections 338 and 339 of the Penal Code of the State of California, relating to pawnbrokers.

Read first time, and referred to Committee on Judiciary.

By Mr. Sutro: Assembly Constitutional Amendment No. 1—Relative to primary elections.

Read, and referred to Committee on Election Laws.

Also: Assembly Bill No 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 73—An Act to amend Section 144 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 74—An Act concerning the attendance and service of experts in criminal cases, and to provide payment for such attendance and services.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 75—An Act to amend Section 686 of the Penal Code, looking to the rights of the defendant in a criminal action.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 76—An Act for the payment of jurors' fees in criminal cases in the Superior Courts.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 77—An Act to amend Sections 1136 and 1137 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Carter: Assembly Bill No. 78—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending Section 339 thereof, relating to the statute of limitations.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 79—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending Section 337 thereof, relating to the statute of limitations.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

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

Also: Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

Read first time, and referred to Committee on Judiciary.

By Mr. Guilfoyle: Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Bauer: Assembly Bill No. 83—An Act to amend Sections 1543 and 1545 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 84—An Act to amend Sections 1548 and 1552 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 85—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 86—An Act to amend Section 208 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 87—An Act making an appro-

priation to pay the claim of the County of Marin against the State of California.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

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

Also: Assembly Bill No. 89—An Act to amend Sections 2, 11, and 13 of an Act entitled "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 stock; to prevent the sale of milk and the products of milk drawn from diseased animals; to prevent the spread of infectious diseases common to stock, and to appropriate money therefor."

Read first time, and referred to Committee on Dairies and Dairy Products.

Also: Assembly Bill No. 90—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 referred to Committee on Judiciary.

Also: Assembly Bill No. 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

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

Also: Assembly Bill No. 92—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein pool-selling or book-making is carried on, except when said pools are sold or said book-making is carried on within the race-track enclosure, fair grounds, or buildings wherein such trial of contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines shall be had and occur, and upon the days when such trials or contests actually occur or are had; and to provide a punishment for the violation of this Act.

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

By Mr. Hourigan: Assembly Bill No. 93—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Laird: Assembly Bill No. 94—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 prescribing the effect to be given to recordation of notices of location and affidavits.

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

Also: Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

Read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 96—An Act to amend an Act entitled "An Act to amend Section 374 of the Penal Code, relating to crimes against the public health," approved March 3, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Read first time, and referred to Committee on Judiciary.

By Mr. Walker: Assembly Bill No. 98—An Act to amend Chapter III. of Title II, of Part II, of the Code of Civil Procedure of the State of California, by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

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

Also: Assembly Bill No. 99—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901."

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

Also: Assembly Bill No. 100—An Act providing for the publication of legal or official advertising.

Read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 101—An Act to amend Section 2645 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 102—An Act to amend Section 634 of the Penal Code of the State of California, relating to fish.

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

Also: Assembly Bill No. 103—An Act to amend Section 3839 of the Political Code of the State of California, relating to poll-tax.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read first time, and referred to Committee on Claims.

By Mr. Macbeth: Assembly Bill No. 105—An Act repealing Sections 1357 to 1383 of the Political Code, relating to primary elections.

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

Also: Assembly Bill No. 106—An Act adding a section to the Political Code, to be numbered 1171, relating to the submission to popular vote and adoption in certain counties and cities, and in all towns, of the provisions of Sections 1357 to 1370, both inclusive, of the Political Code, requiring the election of delegates to nominating conventions at primary elections.

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

Also: Assembly Bill No. 107—An Act to amend Section 1188 of the Political Code, pertaining to the nomination of candidates for public office by petition.

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

Also: Assembly Bill No. 108—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions.

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

Also: Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

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

Also: Assembly Bill No. 110—An Act amending Section 1119 of the Political Code, relating to the registration of voters for primary elections.

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

By Mr. James: Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors at law, in the courts of this State, and to add new sections to said Act, to be numbered, respectively, 275*a*, 275*b*, 275*c*, and 275*d*, relating to the same subject.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 112—An Act to provide for and regulate the nomination of candidates for public elective offices at primary elections by direct vote of electors; to provide the manner, prescribe the rules and regulation of, and give authority for, holding and conducting such elections, establishing election precincts, registering voters, appointing primary election officers, preparing and printing primary election ballots, canvassing the votes, making, ascertaining, and declaring the result, and paying the expenses thereof; to repeal Sections 1186 to 1190, both inclusive, Sections 1192 and 1193, and Sections 1357 to 1380, both inclusive, of the Political Code of this State, and to add new sections to said Code, to be numbered 1357 to 1373, both inclusive.

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

Also (by request): Assembly Bill No. 113—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 the Act," approved March 25, 1893, by amending Section 1 of said foregoing Act, as the same was amended by Act of the Legislature approved March 31, 1897.

Read first time, and referred to Committee on Irrigation.

Also (by request): Assembly Bill No. 114—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to property exempt from execution.

Read first time, and referred to Committee on Judiciary.

Also (by request): Assembly Bill No. 115—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State, in relation to erections and buildings."

Read first time, and referred to Committee on Claims.

By Mr. Levinson: Assembly Bill No. 116—An Act to add a new section to the Penal Code of the State of California, to be numbered ——, relating to the preservation of game in national parks in the State of California.

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

Also: Assembly Bill No. 117—An Act to amend Section 2694 of the Political Code, relating to public highways.

Read first time, and referred to Committee on Judiciary.

By Mr. Treadwell: Assembly Bill No. 118—An Act to revise the Code of Civil Procedure of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Read first time, and referred to Committee on Revision and Reform of Laws.

Also: Assembly Bill No. 119—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Read first time, and referred to Committee on Revision and Reform of Laws.

Also: Assembly Bill No. 120—An Act to revise the Penal Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Read first time, and referred to Committee on Revision and Reform of Laws.

Also: Assembly Bill No. 121—An Act adding eighteen new sections to the Political Code, to be numbered, consecutively, 1357 to 1374, both inclusive, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections, and repealing all Acts inconsistent therewith, and also repealing Sections 1118 and 1119, and Sections 1357 to 1380, both inclusive, of the Political Code.

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

Also: Assembly Bill No. 122—An Act to repeal Sections 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, 3829, and 3831 of the Political Code, concerning the collection of taxes by the Assessor on certain personal property.

Read first time, and referred to Committee on Revision and Reform of Laws.

Also: Assembly Bill No. 123—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, relating to mutual building and loan associations and other similar corporations; repealing Sections 648½ of the Civil Code, and all Acts and parts of Acts in conflict with this Act.

Read first time, and referred to Committee on Corporations.

By Mr. Greer: Assembly Bill No. 124—An Act to provide for the construction of a State highway, or model wagon road, from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock, and granite or stone blocks, for drains and culverts therefor.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 125—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

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

Also: Assembly Bill No. 126—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California."

Read first time, and referred to Committee on Agriculture.

By Mr. Hanen: Assembly Bill No. 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging camps.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Constitutional Amendment No. 2, relative to corporations.

Read, and referred to Committee on Corporations.

Also: Assembly Bill No. 128—An Act to amend Sections 1543, 1544, 1548, 1583, 1858, 1875, 1621, and 1671 of the Political Code, in relation to the manner of apportioning and disbursing school moneys, and the duties of members of boards of education and boards of trustees, county auditors, and superintendents of schools in relation thereto.

Read first time, and referred to Committee on Education.

By Mr. Haley: Assembly Bill No. 129—An Act for the construction of a State highway or free wagon road from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, to connect with the most desirable public road leading to the Yosemite Valley, providing for the appointment of a Board of Commissioners, and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to condemn land and property for the purpose aforesaid, and making an appropriation for the expenditures and purposes provided in this Act.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 130—An Act to provide for the construction of a free wagon road from Los Banos, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Banos and Stayton Mine Road, and along the most direct public road from Stayton Mine to the town of Hollister, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 131—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Rutherford: Assembly Bill No. 132—An Act to add a new section to the Political Code, to be known as Section 1573, relating to the compilation of text-books for use in the common schools of the State.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 133—An Act to add a new section to the Penal Code, to be known as Section 273, making it unlawful in certain cases to employ children under fourteen years of age.

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

Also: Assembly Constitutional Amendment No. 3—Relative to submitting to the people of the State of California a constitutional amendment providing for a State Normal School Board.

Read, and referred to Committee on Education.

Also: Assembly Bill No. 134—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 135—An Act to amend Section 2756 of the Civil Code of the State of California, relating to fire insurance.

Read first time, and referred to Committee on Corporations.

Also: Assembly Constitutional Amendment No. 4—Relative to permitting State aid to high schools and technical schools.

Read, and referred to Committee on Education.

By Mr. Knowland: Assembly Bill No. 136—An Act to amend Section 1665, and to repeal Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Read first time, and referred to Committee on Claims.

Also: Assembly Constitutional Amendment No. 5—Relative to the creation of the State Board of Education, and defining the duties thereof.

Read, and referred to Committee on Education.

By Mr. Pendleton: Assembly Bill No. 138—An Act to amend Section 647 of the Penal Code of the State of California, concerning vagrants.

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

Also: Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure.

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

Also: Assembly Bill No. 140—An Act to establish Police Courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof.

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

Also: Assembly Bill No. 141—An Act to amend Section 647 of the Penal Code of the State of California, concerning vagrants.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

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

By Mr. Broughton: Assembly Bill No. 143—An Act to provide for the inspection of illuminating oils manufactured from petroleum or coal oils.

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

By Mr. Johnson: Assembly Constitutional Amendment No. 6—Relative to the framing of a charter for cities of more than 3,500 inhabitants.

Read, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 144—An Act to provide for the purchase of real property known as Agricultural Park, in the city of Sacramento, State of California, from the Board of Directors of the California State Agricultural Society, and to empower said board of directors to sell a portion of said park and to purchase from other parties land adjoining thereto for the State, to be used by the State for the purpose of conducting an agricultural fair, and appropriating money for such purpose.

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

Also: Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

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

Also: Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 7—Relative to amending Section 32 of Article IV so as to permit the payment of supplies or services rendered under authority or appointment of a State officer, subsequently ratified or confirmed by a joint or concurrent resolution of the Legislature.

Read, and referred to Committee on Judiciary.

Also: Assembly Bill No. 147—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

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

Also: Assembly Bill No. 148—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigation.

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

Also: Assembly Bill No. 149—An Act to provide for the classification of the roads in the State of California, and to define each class.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 151—An Act to amend Section 2651 of the Political Code, relating to the general road fund and highway taxes.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 152—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 153—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto, and government of the inmates thereof.

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

Also: Assembly Bill No. 154—An Act to amend Section 2643 of the Political Code, relating to the road-tax and its apportionment among road districts.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 155—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 156—An Act to amend Section 1188 of the Political Code, pertaining to the nomination of candidates for public office by petition.

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

Also: Assembly Bill No. 157—An Act to repeal Sections 1357 to 1380, both inclusive, of the Political Code.

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

Also: Assembly Bill No. 158—An Act to amend Section 1186 of the Political Code, relating to conventions.

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

Also: Assembly Bill No. 159—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 160—An Act adding a section to the Political Code, to be numbered 1371, relating to the submission to popular vote and adoption in certain counties and cities, and in all towns, of the provisions of Sections 1357 to 1370, both inclusive, requiring the election of delegates to nominating conventions at primary elections.

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

Also: Assembly Bill No. 161—An Act amending Section 1119 of the Political Code, relating to the registration of voters for primary elections.

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

Also: Assembly Bill No. 162—An Act adding fourteen sections to the Political Code, to be numbered 1357 to 1370, both inclusive, pertaining to primary elections, providing for and regulating the election of delegates thereat to nominating conventions in certain counties and cities, and in the City and County of San Francisco.

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

By Mr. Higby: Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane, and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

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

By Mr. Dunlap: Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments."

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

Also: Assembly Bill No. 165—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 166—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and pro-

viding for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

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

Also: Assembly Bill No. 168—An Act to amend "An Act to establish a Penal Code," by amending Section 502 of said Penal Code, making Sections 339, 342, and 343 of such Penal Code, applicable to persons carrying on the business of junk dealers, second hand dealers, or keepers of bargain stores, and their agents, clerks, and employés, and to persons acting as brokers or commission agents in such business, and to their transactions of purchase and sale, as well as to those of pledge or mortgage, said sections of said Penal Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 169—An Act to add a new section to the Penal Code, to be known as Section 600½, relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 170—An Act to provide for the maintenance and support in certain cases of indigent and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons.

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

Also: Assembly Bill No. 171—An Act to amend "An Act to establish a Penal Code," by amending Section 339 of said Penal Code, relating to the registration by pawnbrokers, or the agents of pawnbrokers, or persons doing the business of a pawnbroker upon commission for others, and of persons acting as brokers in transactions of pledge, of their transactions of pledge, and of purchase, and of sale, and defining the offense of not registering such transactions by them, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 172—An Act to amend "An Act to establish a Penal Code," by amending Section 343 of said Penal Code, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker, and others, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 173—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Mateo: Assembly Bill No. 174—An Act to provide for the establishment and maintenance of public libraries within municipalities.

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

Also: Assembly Bill No. 175—An Act to amend Section 880 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations"

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

Also: Assembly Bill No. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

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

Also: Assembly Bill No. 177—An Act to establish, ratify, and confirm the north boundary line of San Mateo County, between the counties of San Mateo and San Francisco, as the same was surveyed by Charles S. Tilton, William B. Gilbert, and D. Bromfield, between August 28 and December 28, 1898, to be the true boundary line between the counties of San Mateo and San Francisco, State of California.

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

Also: Assembly Bill No. 178—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 179—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 173, relating to appointment to office of relatives by Judges.

Read first time, and referred to Committee on Judiciary.

By Mr. Barnes: Assembly Bill No. 180—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."

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 181—An Act amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No 182—An Act to amend Section 264 of the Penal Code of the State of California, relating to the punishment of the crime of rape.

Read first time, and referred to Committee on Judiciary.

By Mr. Bennink: Assembly Bill No. 183—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, 1882.

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

Also: Assembly Bill No 184—An Act providing for the levy of a special tax for specific public improvements within municipalities.

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

By Mr. Stewart of San Diego: Assembly Bill No. 185—An Act amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 186—An Act to amend Sections 1, 2, and 10 of an Act entitled "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.

Also: Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for annual reasonable expenses, and what proportion is for annual receipts and profits.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 188—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 190—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges

Read first time, and referred to Committee on Education.

By Mr. Hasson: Assembly Bill No. 192—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section No 184 thereof, relating to county officers, their compensation and expenses, in counties of the twenty-seventh class.

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

Also: Assembly Bill No. 193—An Act making an appropriation to pay J. C. Nichols for money expended by him conveying insane to Highlands and feeble-minded to State institutions for feeble-minded.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 194—An Act to validate certain Acts and proceedings had under an Act of the Legislature of the State of California entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

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

Also: Assembly Bill No. 195—An Act to amend Sections 3, 5, 6 and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

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

By Mr. Cromwell: Assembly Bill No. 196—An Act entitled "An Act to amend Sections 4 and 5 of an Act entitled 'An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs,'" approved March 13, 1866.

Read first time, and referred to Committee on Agriculture.

By Mr. Hanen: Assembly Bill No. 197—An Act to appropriate $25,000 for the erection of a connecting building at the Mendocino State Hospital.

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

Also: Assembly Bill No. 198—An Act to appropriate $21,000 for

the purshase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

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

Also: Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No. 200—An Act to provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

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

By Mr. Anderson of Santa Clara: Assembly Bill No. 201—An Act placing a fee on naturalization, and giving the proceeds to the University of California.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 202—An Act to amend Section 487 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Anderson of Solano: Assembly Bill No. 203—An Act levying fees on corporations of other States and of foreign countries, and giving the proceeds to the University of California.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 204—An Act to establish a tax on inheritances, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 205—An Act amending Subdivision II of Section 416 of the Political Code, by increasing the fees for filing articles of incorporation, and disposing of the proceeds.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 206—An Act to prevent fraud in the sale of Paris green.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Collins of Butte: Assembly Bill No 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

Read first time, and referred to Committee on Education.

By Mr. Gans: Assembly Bill No. 208—An Act to add a new chapter to Division I, Part IV, Title II, of the Civil Code, to be known and designated as Chapter IV, and to add nineteen new sections, to be known and designated as Sections 452, 452*a*, 452*b*, 452*c*, 452*d*, 452*e*, 452*f*, 452*g*, 452*h*, 452*i*, 452*j*, 452*k*, 452*l*, 452*m*, 452*n*, 452*o*, 452*p*, 452*q*, and 452*r*, relative to "Mutual Insurance on Assessment Plan." (Life, Health, and Accident Insurance on the Assessment Plan.)

Read first time, and referred to Committee on Corporations.

By Mr. Evatt: Assembly Bill No. 209—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. John: Assembly Bill No. 210—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 211—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday.

Read first time, and referred to Committee on Judiciary.

By Mr. Hourigan: Assembly Bill No. 214—An Act limiting the hours of daily services of persons, either male or female, employed by any person, firm, or corporation engaged in laundry business within the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read first time, and referred to Committee on Labor and Capital.

By Mr. James: Assembly Bill No. 215—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Melick: Assembly Joint Resolution No. 5—Relative to United States geological surveys for irrigation purposes.

Read, and referred to Committee on Federal Relations.

Also: Assembly Joint Resolution No. 6—Relative to Government forest reserves.

Read, and referred to Committee on Federal Relations.

MOTION.

Mr. Johnson moved that the Chief Clerk be instructed to certify to the State Printer, and the State Printer be requested to print, all Assembly bills now introduced up to and including No. 215 before printing Assembly Bills Nos. 118, 119, and 120.

So ordered.

RESOLUTIONS.

By Mr. Myers:

Resolved, That the Secretary of State be and he is hereby authorized and instructed to purchase for the use of the members of the Judiciary and Revision and Reform of Laws Committees thirty-five copies of Henning's Annotated Constitution of California, second edition, and also thirty five sets of Deering's Pocket Edition of the Codes of the State of California and General Laws, edition of 1899, and deliver same to the Chief Clerk, the same to be paid for out of the Contingent Fund of the Assembly

Referred to Committee on Commissions and Public Expenditures.

By Mr. Brown of San Mateo:

Resolved, That a special committee, to consist of seven members, be appointed by the Speaker, to whom shall be referred those portions of the Governor's message relating to the University of the State of California and the Leland Stanford Junior University, in accordance with the recommendations made by the special committee for segregating the Governor's message.

Adopted.

By Stewart of Amador:

Resolved, That the Committee on Commissions and Public Expenditures be and they are hereby directed to inquire into the management of all the State commissions, and report to the House, by bill or otherwise, what, if any, commissions could be abolished and what, if any, changes are needed therein, and what, if any, saving can be effected in the management of said commissions And said committee is hereby given power to send for persons and papers, in order to make a thorough and complete investigation

Mr. Melick moved to substitute the following resolution:

Resolved, That the Committee on Commissions 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.

Mr. Stewart accepted the substitute.

Substitute adopted.

By Mr. Kelley:

Resolved, That the Committee on Public Printing be and is hereby increased from seven to nine members

Referred to Committee on Rules.

By Mr. Chandler:

Resolved, That after this date the postoffice shall be opened at 8:30 o'clock A. M., and remain open until 5 P. M., and also one hour from 7 to 8 P. M. each day.

Adopted.

LEAVE OF ABSENCE.

Mr. Stewart of Amador and Mr. Laird were granted leave of absence until Tuesday morning.

ADJOURNMENT.

At twelve o'clock and ten minutes P. M., the Assembly, on motion of Mr. Fisk, adjourned until Monday, January 14, 1901, at eleven o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 14, 1901.

The Assembly met at eleven o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter,

Cavagnaro, Chandler, Chiles. Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—72.

Quorum present.

LEAVE OF ABSENCE.

Leaves of absence were granted for the day as follows: Messrs. Johnson, Collins of Butte, Kelley, Mattos, Butler, McLoughlin, and Bennink.

Mr. Evatt was granted leave of absence until Wednesday.

READING OF JOURNAL.

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

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

COMMUNICATION.

By Mr. Irish:

SAN FRANCISCO, January 12, 1901.

To the Members of the Senate and Assembly of the State of California:

GENTLEMEN: The California Miners' Association, through its executive committee, beg to call your attention to the following facts:

1. In 1893 the Legislature of this State appropriated $250,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosion, and other causes

2. This appropriation was not to become available until the United States Government should have appropriated at least an equal amount for the same purpose.

3. In 1896 Congress appropriated $250,000 for the above purpose.

4. After a most careful and painstaking examination and study of the matter, the Federal engineers submitted their plans for the contemplated work

5. These plans involve an expenditure of $800,000 instead of $500,000, leaving a deficiency of $300,000 to be made up by the State and National governments

6. Through the Emergency River and Harbor Bill of June 6, 1900, Congress made provision for the immediate commencement of the contemplated work and its prosecution to the extent of the then available State and National appropriations, amounting to a total of $500,000. To this provision in the Emergency River and Harbor Bill of 1900 there was added a proviso to the effect that one half of the cost of the contemplated work should be paid by the State of California

7. The plans of the Federal engineers for the entire work, involving an estimated expenditure of $800,000, have been approved by the State Board of Examiners of this State, and bills looking to the appropriation by the State of California of the further sum of $150,000, as its final contribution to the contemplated work, have already been introduced in the Senate and Assembly. These bills are known as Senate Bill No 127 and Assembly Bill No 46, and were introduced, respectively, by Senator Tyrrell of Nevada and Assemblyman Irish of Sierra

8 It is well understood that further appropriation by Congress is contingent upon the action of your honorable bodies

We, therefore, most respectfully and earnestly request early and favorable action at your hands upon the measures above noted.

E C. VOORHEIS,
President California Miners' Association.

Attest: EDWARD A. BENJAMIN, Secretary.

Referred to Committee on Mines and Mining Interests.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 1—An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States.

Assembly Bill No 2—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

And were presented to the Governor this day, at twelve o'clock M.

FRANKLIN, Chairman.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following committee on consideration of that portion of the Governor's message referring to universities, etc.: Collins of Butte, Carter, Ralston, Fisk, Hasson, Cowan, and Reeber.

RESOLUTIONS.

By Mr. Fisk:

Resolved, That H. F. Bridges be substituted as committee clerk to the Committee on Ways and Means, at a per diem of six dollars, in the place and stead of Mr. Lambrink, and that Mr. Lambrink be appointed as committee clerk to the Assembly, at a per diem of five dollars, and assigned in the regular manner; and that the Controller be instructed to draw his warrant in favor of said parties for the respective positions named, and that the Treasurer be instructed to pay the same.

Referred to Committee on Attachés and Employés.

By Mr. Merritt:

Resolved, That Geo. P. Merritt be and he is hereby changed from Sergeant at-Arms to the Ways and Means Committee to that of committee clerk, to succeed W F. Erchbacher; and be it further

Resolved, That Samuel Miller be appointed Sergeant-at-Arms to the Ways and Means Committee, to succeed said Geo. P. Merritt; and be it further

Resolved, That the name of W. F. Erchbacher be dropped from the payroll.

Referred to Committee on Attachés and Employés.

By Mr. Stewart of San Diego:

Assembly Joint Resolution No. 7—Relative to the citrus fruit industry, and protest against the ratification of the Jamaica treaty.

Read, and referred to Committee on Federal Relations.

By Mr. Carter:

Resolved, That the Sergeant at Arms be and he is hereby authorized to secure a suitable room for the use of the Committee on Census and Apportionment, the cost of the same to be a charge against and payable out of the Contingent Fund of the Assembly; and that the Controller be authorized to draw his warrant on the Treasurer for the same.

Adopted.

By Mr. Radcliff:

Resolved, That Ralph Schluer be allowed one day's pay as Page, his services being rendered during the temporary organization of the Assembly, amounting to $2.50.

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

AYES—Messrs Anderson of Solano, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Cavagnaro, Chandler, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—64.

NOES—None.

By Mr. James:

Resolved, That the Public Printer be and he is hereby directed to print two hundred and fifty (250) additional copies each of Assembly Bills Nos. 111 and 112

Adopted.

MOTION.

Mr. Knowland moved to take up Governor's message.
So ordered.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 14, 1901.

To the Assembly of the State of California:

I have the honor to present herewith, for your information, a copy of the official report of "The California Paris Exposition Commission," received by me since the transmission to your honorable body of my first biennial message

Section 3 of the Act creating said commission, approved March 20, 1899, reads as follows: "Said commission to return to the Controller vouchers, properly certified, for all money expended by it."

It will be observed from an examination of the provisions of the said Act creating said commission that neither the Board of Examiners nor the Governor had any power of supervision over the acts of said commission, and the State Controller has informed me that no vouchers have as yet been returned to said officer.

HENRY T. GAGE,
Governor of the State of California.

SAN FRANCISCO, CAL., January 5, 1901.

Governor HENRY T. GAGE, *Sacramento, Cal.:*

DEAR GOVERNOR: Herewith enclosed you will find a condensed statement of the operations of the California Paris Exposition Commission, appointed by you in pursuance of an Act approved March 20, 1899.

Of course you will understand this is a mere outline of what we have been doing, and a full report will follow in detail, from the inception of the commission until its work is completed

Trusting this will be satisfactory to you, we beg to remain,
Most respectfully yours,

W. W. FOOTE.
E W. RUNYON

SAN FRANCISCO, CAL., January 5, 1901.

Hon. HENRY T. GAGE, *Governor of the State of California:*

Pursuant to an Act appropriating money to pay the expense of collecting, preparing, forwarding, installing, maintaining, and returning an exhibit of the products of the State of California at the Paris Exposition in 1900 Also for preparing and printing literature for distribution at said exposition, and providing a commission, and expense of commission, and attatchés, approved March 20, 1899.

Carrying out the provision of said Act, it was your pleasure to name as such commissioners Mr. E. W. Runyon of Red Bluff, Mr. W. W. Foote of Oakland, and Major Ben C. Truman of Los Angeles Immediately upon receipt of their commissions, these gentlemen proceeded to organize by the election of Mr E W Runyon as president, and elected Mr. Varney W. Gaskill as their secretary.

The exhibits of this State were collected with the utmost care; were duly forwarded and handsomely installed in five different departments and pavilions at the Paris Exposition, namely: Horticulture, Agriculture, Mining, Forestry, and Fishery; these being the five groups in which the California commission principally exerted all their energies.

This State was allotted six jurors, one for each of these departments and one for the Department of Chemistry; the different groups were divided into 105 different classes, of which California had a splendid representation in 24 of them. This State had an elegant display, consisting of a full line of all varieties of dried, canned, conserved, fresh, and citrus fruits, raisins, nuts, wines, olive oils, cereals, wool, woods, leather, perfumery, soaps, education, social economy, and varied industries.

The following summary of awards speaks for itself: Out of a total of 577 exhibitors from this State, 568 received awards at the hands of the international jury, and thus it will be seen that of all our exhibitors 98% received awards, while only 50% of the world's exhibitors received any mention Included in these awards the State of California secured a grand prize for its collective exhibits in each of the five departments above mentioned, and five additional gold medals on separate exhibits in these and other departments. California exhibits were distributed in the different departments and grouped with similar exhibits of the world. Attractive signs were placed conspicuously over California exhibits, directing the visitors to our State display, which had been artistically arranged, and the name of California soon became a household word.

Another feature of the commission's work, and which brought great prominence to the State, was the headquarters, bureau of information, collective exhibits, and offices, maintained at No 8 Place de l'Opera, the very center of the most populous quarter of Paris, which drew thousands of visitors of all nationalities seeking information of the resources of our State It can be stated this was the only State in the Union that maintained such headquarters outside of the Exposition,

An efficient corps of assistants, familiar with the resources of our great State and conversant with the French, German, Spanish, and Italian languages, were always on hand at these headquarters to furnish any information required, also, to assist Californians in and about Paris; also, to furnish them with data as to where our exhibits at the Exposition could be found, and give them all information while in Paris.

There was also maintained a Commercial Bureau, whose function it was to distribute throughout Europe albums and maps printed in French, English, and German, illustrative of the resources of this State. It is pleasing to note in this connection that over 300 answers were received from Boards of Trade and Chambers of Commerce, acknowledging receipt of these maps and albums, and thanking this commission for their courtesy in the matter, and also assuring the commission that the maps would be prominently displayed on their walls.

This commission has fully demonstrated that many products of this State are now in the markets of France, and that by further enterprise of our producers many others can be successfully and profitably sold there.

Of the $130,000 appropriation by our Legislature, which was turned over to the commission, about $116,000 will have been expended when this commission shall have finished their work, thus leaving a balance of about $14,000 to be turned back to this State treasury This commission will render a full and complete report of all its proceedings, from the organization to the closing of its affairs, so that the people of this State may have a full report of how the money was expended and the affair managed.

All of which is respectfully submitted.

E. W. RUNYON, President.
W. W. FOOTE.

V. W. GASKILL, Secretary.

Referred to Committee on Commissions and Public Expenditures.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 14, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 1, entitled "An Act making an appropriation to pay the expenses of Electors of President and Vice-President of the United States of America" and Assembly Bill No 2, entitled "An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer."

HENRY T. GAGE,
Governor of the State of California.

RESOLUTION.

By Mr. Treadwell:

Resolved, That 500 extra copies be printed of Assembly Bills Nos. 118, 119, and 120, respecting the revision and reform of the law.

Adopted.

CONCURRENT RESOLUTION.

By Mr. Melick: Assembly Concurrent Resolution No. 2—Relative to approving the Charter of the City of Pasadena, a municipal corporation in the County of Los Angeles, 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 20th day of November, 1900.

Read, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At eleven o'clock and forty-five minutes A. M., the Assembly, on motion of Mr. Brown, adjourned until nine o'clock and thirty minutes A. M. of Tuesday, January 15, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 15, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hassen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—77.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Williams and Savage for the day; and to Mr. Collins of Butte for one week, owing to sickness.

READING OF JOURNAL.

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

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: Your Committee on Attachés and Employés reports a substitute for the resolution referred to them by Mr. Ralston, as follows:

That H. F. Bridges be appointed Clerk of the Committee on Ways and Means, and that William Zambresky be appointed Assistant Clerk of the Assembly at a per diem of $6

GEO. C BROWN, Chairman.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr Speaker—68.

NOES—Mr. Sutro—1.

ANNOUNCEMENT BY SPEAKER.

The Speaker, at the request of Mr. Anderson of Solano, relieved him from service on Committee on Commissions and Public Expenditures, and appointed on said committee Mr. Stewart of Amador, and further requested that said committee meet at two o'clock P. M. this day and elect its own chairman.

REPORT OF STANDING COMMITTEE.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: Your Committee on Attachés and Employés report favorably on the following:

Resolved, That Geo. P. Merritt be and he is hereby changed from Sergeant-at-Arms to the Ways and Means Committee to that of committee clerk to succeed W. F. Erchbacher; and be it further

Resolved, That Samuel Miller be appointed Sergeant-at-Arms of the Ways and Means Committee, to succeed said Geo. P. Merritt; and be it further

Resolved, That the name of W F. Erchbacher be dropped from the payroll.

GEO. C. BROWN, Chairman.

Read and adopted.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Ray: Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

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

By Mr. Kelley: Assembly Bill No. 217—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court, and their salaries.

Read first time, and referred to Committee on Judiciary.

By Mr. Greer: Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Barnes: Assembly Bill No. 219—An Act to establish a law uniform with the laws of other States relative to divorce procedure and divorce from the bonds of marriage.

Read first time, and referred to Committee on Judiciary.

By Mr. Fisk: Assembly Bill No. 220—An Act providing for the creation and management of the California Redwood Park.

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

By Mr. Feliz: Assembly Bill No. 221—An Act to amend Section 789 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 222—An Act to repeal an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California," approved March 21, 1887.

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

Also: Assembly Bill No. 223—An Act to regulate the catching of abalones within this State.

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

Also: Assembly Bill No. 224—An Act prohibiting the catching, selling, offering for sale, or having in possession, of any squid between the first day of June and the first day of September of each year.

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

Also: Assembly Bill No. 225—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a trout hatchery, and providing ways and means therefor.

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

Also: Assembly Bill No. 226—An Act to prevent the use of paranzella, or dragnets, within the waters of this State, and to prohibit the sale of any fish caught therewith.

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

By Mr. Kincaid: Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

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

Also: Assembly Bill No. 228—An Act to add a new section to the Penal Code of the State of California, to be known as Section 327, relating to witness' privilege in lottery cases.

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

By Mr. Johnson: Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

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

Also: Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along county roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Miller: Assembly Bill No. 233—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 of relief for the relief of aged, infirm, or disabled firemen," approved March 11, 1889.

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

By Mr. Chandler: Assembly Bill No. 234—An Act to amend Section 3939 of the Political Code, relating to the boundary lines of Fresno, Tulare, and Kings Counties.

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

By Mr. Radcliff: Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the furneral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 236—An Act to amend Section 1119 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 237—An Act to assign certain blocks of State property in the City and County of San Francisco to be part of the Free Public Market established by the Act approved March 29, 1897.

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

By Mr. Walker: Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War.

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

By Mr. Schlesinger: Assembly Bill No. 239—An Act to amend Section 376 of the Code of Civil Procedure, relating to actions for damages for injuries to minors caused by wrongful act or neglect.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California.

Read first time, and referred to Committee on Labor and Capital.

By Mr. McNeil: Assembly Bill No. 241—An Act to amend Section 632 of the Penal Code, relating to fish.

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

By Mr. Schillig: Assembly Bill No. 242—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new formed counties and the county or counties from which they are formed.

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

By Mr. Macbeth: Assembly Bill No. 243—An Act appropriating $50,000 for the maintenance of the San Francisco State Normal School.

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

Also: Assembly Bill No. 244—An Act appropriating $100,000 for the erection of buildings for the use of the San Francisco State Normal School.

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

By Mr. Brady: Assembly Constitutional Amendment No. 8—Relative to proposing to the people of California an amendment to the Constitution of the State, amending Article IV, Section 33 thereof, relating to the regulation of charges of telephone corporations.

Read, and referred to Committee on Corporations.

By Mr. Henry: Assembly Bill No. 245—An Act to amend the Penal Code by adding a new section thereto, to be numbered 310, relating to the sale and possession of opium prepared for smoking.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Mateo: Assembly Bill No. 246—An Act to amend Section 1579 of the Political Code of the State of California, relating to school districts.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 247—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 248—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Read first time, and referred to Committee on Judiciary.

By Mr. Merritt: Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. James: Assembly Constitutional Amendment No. 9—To propose to the people of the State of California an amendment to the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 21, 23, and 24 of Article VI thereof, relating to the Judiciary, and establishing Courts of Appeal.

Read, and referred to Committee on Judiciary.

Also: Assembly Bill No. 250—An Act to provide for the election of Justices of District Courts of Appeal, to take effect in case Assembly Constitutional Amendment No. 9 is ratified by the people.

Read first time, and referred to Committee on Judiciary.

By Mr. Sutro: Assembly Bill No. 251—An Act to amend Section 1238 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 10—Relative to County Government Acts.

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

Also: Assembly Constitutional Amendment No. 11—Relative to city, and city and county charters.

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

By Mr. Higby: Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section numbered 636*a*, all relating to the preservation of fish.

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

By Mr. Foster: Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

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

By Mr. Clarke: Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Read first time, and referred to Committee on Agriculture.

By Mr. Broughton: Assembly Bill No. 255—An Act to amend Section 800 of the Political Code, relating to the qualification of notaries public.

Read first time, and referred to Committee on Judiciary.

By Mr. John: Assembly Bill No. 256—An Act to amend Section 1776 of the Code of Civil Procedure of the State of California, relating to the compensation and expenses of guardians.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 257—An Act making an appropriation to study the life history of beneficial and injurious insects in the State of California.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Duryea: Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Atherton: Assembly Bill No 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquest held on the body of any person confined in such prisons and schools.

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

By Mr. Schillig: Assembly Bill No. 260—An Act to amend an Act entitled "An Act to amend Sections 5, 6, and 11 of an Act entitled 'An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1, of Sutter County,'" approved March 20, 1874.

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

By Mr. Johnson: Assembly Bill No. 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

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

Also: Assembly Bill No. 262—An Act to pay the claim of Ed. E. Leake against the State of California.

Read first time, and referred to Committee on Claims.

RESOLUTIONS.

By Mr. Henry:

Resolved, That the Secretary of State be instructed to close the account of members for stationery, and certify same to State Controller.

Adopted.

By Mr. Ralston:

Resolved, That requisitions on 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.

Adopted.

By Mr. Duryea:

Resolved, That the Committee on Labor and Capital, when considering bills relating to prison labor, be and they are hereby authorized to send for persons and papers, and to administer oaths.

Adopted.

By Mr. Johnson:

Resolved, That Frank H. Owen, Assistant Chief Clerk of the thirty-third session, and Clarke Howard, Assistant Minute Clerk, who were present and assisted in the temporary organization of this House, and did their work at the desk for two days, be each allowed $12 for such services; and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same

Adopted.

ADJOURNMENT.

At ten o'clock and forty-five minutes A. M., the Assembly, on motion of Mr. Irish, adjourned until nine o'clock and thirty minutes A. M. of Wednesday, January 16, 1901.

IN ASSEMBLY

ASSEMBLY CHAMBER,
Wednesday, January 16, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Quorum present.

EULOGY BY MR. JOHNSON.

Pending roll call, and when the name of Collins of Butte was called, the Hon. Grove L. Johnson arose and addressed the Assembly as follows:

MR. SPEAKER: Our friend and associate has been called upon to answer the roll of the land not made by hands. In that undiscovered bourne from which no traveler returns, he is to-day in the presence of the Great Creator, rendering an account of his deeds on this earth. For twenty-one years I had known Mr. Collins, and in every relation the man proved his worth as a father, as a husband, as a friend, as a citizen. Here in this Assembly we have not had time to understand his worth. We have not been able to appreciate the dignity of his character and his indomitable perseverance. If his life would have been spared he would have taken a place on this floor and in the affairs of state which would have been in keeping with his character and attainments. This position would have been merely a stepping stone; but now by the death of our friend, our associate, our neighbor, the Hon. B. Collins of Butte, I request this Assembly to take appropriate action in respect to his memory.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Knight until Friday morning.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

RESOLUTION.

By Mr. Rutherford:

ASSEMBLY CONCURRENT RESOLUTION NO. 3.

WHEREAS, In the disposition of Providence a sad duty has this day fallen to our lot, arising from the death of our esteemed colleague, the Hon. Barnabas Collins; therefore, be it

Resolved by the Assembly, the Senate concurring, That the Speaker of the Assembly appoint five members of the Assembly and the President of the Senate appoint five members of the Senate, to act as a joint committee, to draft suitable resolutions in memory of our late honored and esteemed colleague, Hon Barnabas Collins.

Resolution adopted, and ordered immediately transmitted to the Senate.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee, Messrs. Rutherford, Dunlap, McNeil, Higby, and Cowan.

RESOLUTION.

By Mr. Schillig:

ASSEMBLY CONCURRENT RESOLUTION NO. 4.

Resolved by the Assembly, the Senate concurring, That a committee of five, consisting of three members of the Assembly and two members of the Senate, to be named by the Speaker and the President of the Senate, respectively, be appointed to take charge of all arrangements for the funeral services of the late Hon. Barnabas Collins.

Resolution adopted, and ordered immediately transmitted to the Senate.

APPOINTMENT OF COMMITTEE.

The Speaker appointed as such committee Messrs. Schillig, Johnson, and Schlesinger.

RESOLUTION.

By Mr. Melick:

WHEREAS, The Almighty Giver of all Law has, in His inscrutable wisdom, seen fit to bereave this Assembly of one of its members, and to deprive the State of a faithful public servant, Hon. Barnabas Collins; now, therefore, be it

Resolved, That the Assembly does hereby adjourn for one day out of respect to the memory of our deceased colleague, my esteemed seat-mate; and be it further

Resolved, That a copy of these resolutions be spread on the minutes.

Adopted by rising vote.

ADJOURNMENT.

The Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 17, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—77

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Sutro for the day, and to Mr. Bennink until Monday.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNALS.

The Journals of January 10, 1901, January 11, 1901, and January 14, 1901, were read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 22—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897—report the same back, with the recommendation that it be referred to the Committee on Swamp and Overflowed Lands and River Improvements.

Also: Assembly Bill No 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California—report the same back, with the recommendation that it be referred to the Committee on Swamp and Overflowed Lands and River Improvements.

Also: Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, all relating to the Harbor Commissioners of the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners of the Port of Eureka—report the same back, with the recommendation that it be referred to the Committee on Commerce and Navigation.

Also: Assembly Bill No. 83—An Act to amend Sections 1543 and 1545 of the Political Code of the State of California—report the same back, with the recommendation that it be referred to the Committee on Education.

Also: Assembly Bill No. 84—An Act to amend Sections 1548 and 1552 of the Political Code of the State of California—report the same back, with the recommendation that it be referred to the Committee on Education.

Also: Assembly Bill No. 85—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties and for counties of the first class—report the same back, with the recommendation that it be referred to the Committee on Education.

Also: Assembly Bill No. 11—An Act to amend Sections 1532, 1543, 1545, 1549 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1593, 1615, 1617, 1621, 1622, 1623, 1650, 1667, 1697, 1713, 1714, 1768, 1817, 1818, 1819, 1830, 1858, 1875, and 1882 of the Political Code of the State of California, relating to public schools—report the same back, with the recommendation that it be referred to the Committee on Education.

Also: Assembly Bill No 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—report the same back, with the recommendation that it be referred to the Committee on Education.

JOHNSON, Chairman

Report adopted.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1901

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair 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.

IRISH, Chairman

ON COMMISSIONS AND PUBLIC EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1901.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures met on January 15th, in Room 69 of the Capitol, with all members present.

On motion of Mr Melick, seconded by Mr Stewart, Mr J. A Bliss was elected chairman of said committee for the thirty-fourth session of the Legislature.

Also·

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1901

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred the following resolutions:

Resolved, That the Secretary of State be and he is hereby authorized and instructed to purchase for the use of the members of the Assembly eighty-five copies of Henning's Annotated Constitution of California, second edition, and deliver the same to the Chief Clerk, the same to be paid for out of the Contingent Fund of the Assembly.

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized and directed to purchase for the use of the Assembly eighty-five copies of Henning's pocket edition of the Constitution, and James H. Deering's Codes of California, and Bancroft's edition of the General Laws, latest publications, the same to be paid for out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrants for the same in favor of W O Banks, Sergeant-at-Arms of the Assembly, and the Treasurer is directed to pay the same.

Have had the same under consideration, and recommend that the Assembly adopt the following substitute resolution:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized and directed to purchase for the use of the members of the Assembly eighty-five copies of Henning's pocket edition of the Constitution of California, and James H. Deerings' Codes of California, and James H. Deering's edition of the General Laws, latest publications, the same to be paid for out of the Contingent Fund of the Assembly.

The Controller is directed to draw his warrants for the same in favor of W. O. Banks Sergeant-at-Arms of the Assembly, and the Treasurer is directed to pay the same

Respectfully submitted.

BLISS, Chairman

Resolution and report adopted.

SPECIAL REPORT OF COMMITTEE ON COMMISSIONS AND PUBLIC EXPENDITURES ON THE GOVERNOR'S MESSAGE REFERRING TO THE PARIS EXPOSITION COMMISSION.

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1901

MR. SPEAKER: Your Committee on Commissions and Public Expenditures on January 10th had, by the recommendation of a special committee, assigned to it the portion of Governor Gage's Biennial Message referring to the Paris Exposition Commission

On the 14th of January Governor Gage, in a special message, presented to the Assembly the preliminary report of two Paris Exposition Commissioners (Truman not signing), and he called attention to the fact that no vouchers of such expenditures have yet been filed with the State Controller. This special message and preliminary report were also referred to this committee.

Your committee studied the messages of Governor Gage and the preliminary report of the commissioners. Controller Colgan appeared before the committee, at its request, as did a representative of the Secretary of State's office. Your committee also took cognizance of rumors that are afloat.

Your committee therefore presents the following report:

1. The Legislature of 1899 appropriated $130,000 to collect, prepare, forward, install, and maintain an exhibit of the products of the State of California at the Paris Exposition. This Act, approved March 20, 1899, made it the duty of the Governor to "appoint three commissioners experienced in exposition work, one from the northern, one from the central, and one from the southern portion of the State," who were to have the exclusive charge and control of the expenditures of all moneys appropriated. Each commissioner was required to file a bond in the amount of $10,000 with the Secretary of State. Each commissioner was to have $5,000 for his services as commissioner. The Act made $25,000 available on the passage of the Act, and $105,000 available December 1, 1899. The Act exempted the payment of the moneys from Section 672 of the Political Code, so the State Board of Examiners had nothing to do with it.

2 Under the above Act your committee finds that Governor Gage appointed Hons Ben C. Truman of Los Angeles, W. W. Foote of San Francisco, and E. W. Runyon of Red Bluff, as said Paris Exposition Commissioners. Their bonds are regularly filed with the Secretary of State, and the commissioners duly qualified and proceeded to their work abroad.

3 The only direct knowledge your committee has of the work of the commissioners in Paris is by the partial preliminary report which the Governor communicated to the Assembly on January 14, 1901. Your committee has not had filed with it any communication nor charges regarding the work of this Paris Commission.

4. Until the vouchers are filed with the Controller of California, and until a full official report is made, your committee is unable to present to the Assembly a full report as to when, how, or where the money appropriated was spent. There is no law requiring the Paris Commissioners to return and file final vouchers and reports in a specified time An examination of the vouchers in the State Controller's office of State expenditures for exposition purposes at Chicago, Guatemala, and Hamburg, show that it is not usual for vouchers to be filed for several months longer after an exposition is closed; in fact, former precedents give from six to eighteen months for commissioners to file final vouchers.

Therefore, Mr Speaker, from the above facts and condition, your Committee on Commissions and Public Expenditures cannot make further report while one of the commissioners has not yet returned to the State, and while the vouchers for expenditures and commission's report are not filed.

Respectfully submitted. BLISS, Chairman.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations beg leave to report that

they have had under consideration the increasing of the Committee on Public Printing from seven to nine members, and now recommend that the same be adopted.

DUNLAP, Chairman.

Report adopted.

APPOINTMENTS BY SPEAKER.

The Speaker appointed Messrs. Johnson and Reeber additional members of Committee on Public Printing, and substituted Mr. Evatt for Mr. Fisk on said committee, relieving Mr. Fisk at his own request.

REPORT OF STANDING COMMITTEE.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations beg leave to report that they have had under consideration the accompanying Joint Rules, in conjunction with the like committee of the Senate, and now recommend that they be adopted by the House, and that they shall go into effect when adopted by both houses.

DUNLAP, Chairman.

MOTION.

Mr. Dunlap moved that the Joint Rules be printed in the Journal, and be made special order for to-morrow morning immediately after reading of Journal.

So ordered.

JOINT RULES.

1. *Joint Address 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 the audience chamber by the President of the Senate, in the presence of the Speaker and both houses.

2 *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 in the other, notice thereof shall be given to the house in which the same shall have passed.

3. *Rejected Bill Requires 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.

4. *Each House to Transmit Papers.*

Each house shall transmit to the other papers on which any bill or resolution shall be founded.

5. *Disagreement, Adhered to, Defeats the Bill.*

After each house shall have once adhered to its disagreement, a bill or resolution shall be lost.

6. *No Appropriation Except by Bill.*

No appropriation of money, for any purpose whatever, shall be made except by bill.

7. *Joint and Concurrent Resolutions.*

Joint resolutions are those which relate to matters connected with the Federal Government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

8. *Joint Resolutions to be 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.

9. *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.

10 *Bills Read and Referred to Committee.*

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.

11 *Special File.*

After the eighth day of February, 1901, 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

This rule shall not be suspended in either house except by a two-thirds vote of such house.

12 *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.

13 *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.

14. *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.

15. *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.

16 *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 30th, and within five days if received after January 30th, unless otherwise ordered by the Senate or Assembly.

17. *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 indorsement 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.

18 *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.

19 *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.

20 *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

21. *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.

22 *Committee on Conference.*

In every case of an amendment of a bill agreed to in one house, and dissented from in the other, if either house shall request a conference and appoint a committee

to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the said committee.

23. *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 is 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 the Committee on Free Conference shall not be subject to amendment in either house.

24. *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 or Assembly 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

25. *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

26. *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.

27. *Notices to Be on Paper, Over Proper Signature.*

Notice of the action of either house to the other shall be on paper, and over the signature of the Secretary or Clerk of the house from which such notice is to be conveyed

28. *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.

29. *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 enrolled 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

30. *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.

31. *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 endorsed 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, hour, and minute of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

32. *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 by the Secretary of the Senate and the Clerk of the Assembly, jointly, and no other form shall be used.

33. *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.

34. *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.

35. *Adjournment Sine Die.*

An adjournment *sine die* shall only be made by concurrent resolution.

36. *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.

REPORT OF SELECT COMMITTEE.

ON FUNERAL ARRANGEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1901.

MR SPEAKER: The joint committee of Senate and Assembly to make arrangements for the funeral of Hon Barnabas Collins met to-day at twelve o'clock M.; there being present Senators W. F. Maggard and J. C. Sims, and Assemblymen B. Schlesinger, W. W. Greer, and Lawrence Schillig.

Assemblyman Schlesinger was elected chairman of the meeting, and the following arrangements were made for the funeral:

Order of Arrangements.

1. The services will commence in the Assembly Chamber at two o'clock P. M. on Friday, January 18, 1901; and Senators and Assemblymen are requested to be in Assembly Chamber at one o'clock and thirty minutes P. M.

2. The Senators will be invited to sit with the Assemblymen in the same order as at a joint assembly.

3. The Rev. C. L. Miel, assisted by Rev. C. P. Wilson, Chaplain of the Assembly, and Rev. W. C. Evans, Chaplain of the Senate, will each perform such services as are usual.

4 At the close of the services in the Assembly Chamber, the Senators, Assemblymen, members of the Grand Army, and friends of the deceased will pass and view the remains and file out to the west entrance of the Capitol.

5. The local posts of the Grand Army of the Republic will take part in the funeral ceremonies.

6. At the entrance of the Capitol the funeral march will be taken up, and the Senators and Assemblymen will be expected to march to the cemetery.

Honorary pall-bearers: Senators Thomas Flint, Jr., W. F. Maggard, and J. C. Sims; Assemblymen C. W Pendleton, Grove L Johnson, and W S. Melick.

Active pall-bearers: A. J. Johnston, C K. McClatchy, Elwood Bruner, W. A. Anderson, E. C. Hart, T. H. Barnard, T. L. Ford, and W. F. Knox.

A male quartet will furnish vocal music, instrumental music by a band.

Report adopted.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No 3—Relative to appointment of committee to draft resolutions of respect to the late Hon. Barnabas Collins, and in accordance therewith the President of the Senate appointed the following members of the Senate, to act with the committee appointed by your honorable body: Senators Devlin, Davis, Taylor, Wolfe, and Greenwell.

Also: Adopted Assembly Concurrent Resolution No. 4—Relative to appointment of committee to take charge of all arrangements for the funeral of the late Hon. Barnabas Collins, and, in accordance therewith, appointed the following members of the Senate to act with a like committee appointed by your honorable body: Senators Maggard and Sims.

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

Assembly Concurrent Resolutions Nos. 3 and 4 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 3—An Act to provide for the rebuilding, repairing, equipping, and furnishing the refectory building of the Whittier State School, located at

Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

Assembly Bill No. 3 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1—Relative to thanking the State Relief Committee for the Texas sufferers.

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

Assembly Concurrent Resolution No. 1 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1—Relative to extending an invitation to President McKinley, on occasion of launching of the battleship "Ohio" at San Francisco, May 18, 1901.

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION.

SENATE CONCURRENT RESOLUTION No. 1.

Resolved by the Senate, the Assembly concurring, That whereas, the battleship "Ohio" will be launched at the Union Iron Works, San Francisco, California, on the 18th day of May, 1901, and

WHEREAS, The occasion will be a memorable one, in which all citizens of the United States, and particularly those of California and the State of Ohio, will be interested; and

WHEREAS, The President of the United States, the Honorable William McKinley, is a native of the State after which this battleship (a production of California labor and energy) is named; therefore, be it

Resolved, That the people of the State of California, through its Legislature, extend to the Honorable William McKinley, President of the United States, a cordial invitation to visit California on that occasion.

It is further resolved, That an invitation be also extended to the Honorable Theodore Roosevelt, Vice-President-elect, to the Cabinet officers of the United States, the Congressional delegation of the State of Ohio, and Governor Nash and the State officers of the State of Ohio, and the Senators and Representatives in Congress

Be it further resolved, That the Secretary of the Senate be instructed to transmit a copy of these resolutions to the President, Vice-President, Members of the Cabinet, Congressional Delegation from Ohio, the Governor of Ohio, officers of the State of Ohio, and to the United States Senate and House of Representatives

Resolution read, and adopted.

INTRODUCTION AND REFERENCE OF BILLS, ETC.

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

By Mr. Sheridan: Assembly Constitutional Amendment No. 12—A resolution to propose to the People of the State of California an amendment to Section 7, Article I, of the Constitution of the State of California, relating to juries.

Read, and referred to Committee on Judiciary.

Also: Assembly Bill No. 263—An Act to amend Section 55 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

Also: Assembly Bill No. 264—An Act to amend the Penal Code of

California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 265—An Act to repeal an Act entitled "An Act concerning the costs in civil actions for serving summonses and subpœnas," approved March 10, 1891.

Read first time, and referred to Committee on Judiciary.

By Mr. McLoughlin: Assembly Bill No. 266—An Act to amend Section 1970 of the Civil Code of the State of California, relating to obligations of employers.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Stewart of Amador: Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

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

Also: Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

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

Also: Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

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

By Mr. Knowland: Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 56 thereof, relating to Justices of the Peace in townships.

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

By Mr. Kelley: Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

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

By Mr. Bliss: Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the "Home of the Industrial Home of Mechanical Trades for the Adult Blind."

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

By Mr. Hubbard: Assembly Bill No. 273—An Act making an appropriation to pay the claim of John E. Raker, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 274—An Act to repeal Section 2652 of the Political Code, relating to road taxes.

Read first time, and referred to Committee on Roads and Highways.

Also: Assembly Bill No. 275—An Act to amend Section 485 of the Civil Code, relating to the duty of railroad corporations, requiring them to make and maintain good and sufficient fences on either or both sides of their track and property.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 276—An Act concerning estray animals found running at large in the county of Shasta.

Read first time, and referred to Committee on Agriculture.

By Mr. Savage: Assembly Bill No. 277—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 17, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing, and modifying and reapportionment, and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments thereunder, and remonstrances against such assessments and reassessments, and against the improvements under said Act.

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

Also: Assembly Bill No. 278—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging foreign immigration and increasing trade in the products of the State.

Read first time, and referred to Committee on Immigration.

Also: Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred. B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Read first time, and referred to Committee on Claims.

By Mr. Clarke: Assembly Bill No. 280—An Act making an appropriation to pay the claim of Thomas O. Toland, for mileage in attending as a trustee of the State Normal School of San Diego, the meetings of the Joint Board of Normal School Trustees of the State of California, held at San José in June, 1897, at Los Angeles in April, 1898, and at Sacramento in September, 1898.

Read first time, and referred to Committee on Claims.

By Mr. Ray: Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Cromwell: Assembly Bill No. 282—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and commissioning of notaries public for the several counties of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Read first time, and referred to Committee on Agriculture.

By Mr. Hasson: Assembly Bill No. 284—An Act to regulate the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

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

By Mr. Cowan: Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the

marking and branding, or altering, changing, or defacing marks and brands of domestic animals.

Read first time, and referred to Committee on Agriculture.

By Mr. Feliz: Assembly Bill No. 286—An Act to provide for the appointment of a Board of Colton Hall Trustees and for the possession of the Colton Hall property, and providing for an appropriation for the protection and improvement of said property.

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

Also: Assembly Bill No. 287—An Act to amend Section 626 of the Penal Code, relating to game.

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

Also: Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas in Monterey County, and San Miguel in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Guilfoyle: Assembly Bill No. 289—An Act to regulate the establishment of and maintenance of public laundries and public washhouses in the cities and counties of the State.

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

By Mr. Roberts: Assembly Bill No. 290—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 increasing jurors fees to $3 per day.

Read first time, and referred to Committee on Judiciary.

By Mr. Miller: Assembly Bill No. 291—An Act to define and establish a portion of the eastern boundary of the State of California.

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

Also: Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for cost of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Butler: Assembly Bill No. 293—An Act to provide for the use of automatic vote registering and recording machines at all elections to be held within the State of California.

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

Also: Assembly Bill No. 294—An Act to provide for the appointment of a State Quarantine Officer by the State Board of Health, and to abolish the office of Quarantine Officer of the Board of Health for the City and County of San Francisco.

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

Also: Assembly Bill No. 295—An Act to amend Section 134 of the Code of Civil Procedure of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

By Mr. Bauer: Assembly Bill No. 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 298—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 299—An Act providing for the submission of the proposition of the license and sale, or prohibition of the sale, of intoxicating liquors to a vote of the people, by municipal corporations of the fifth and sixth classes

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

Also: Assembly Bill No. 300—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 18, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

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

Also: Assembly Bill No. 301—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 first time, and referred to Committee on Irrigation.

By Mr. Chandler: Assembly Bill No. 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said Code, relative to the plugging of water-producing wells, or holes, drilled or otherwise, made in territory producing oil or similar carbonic substances.

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

By Mr. Brown of San Mateo: Assembly Bill No. 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances.

Read first time, and referred to Committee on Judiciary.

By Mr. Barnes: Assembly Bill No. 304—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School of San Diego, and making an appropriation therefor.

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

Also: Assembly Bill No. 305—An Act to amend Section 685 of the Code of Civil Procedure, relating to the enforcement or carrying into execution of judgment after the lapse of five years from the date of entry.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 306—An Act entitled an Act to amend Section 2003 of the Political Code.

Read first time, and referred to Committee on Military Affairs.

By Mr. Schlesinger:

ASSEMBLY JOINT RESOLUTION No. 8.

WHEREAS, Miners, merchants, and representatives of shipping interests, residents of Nome during the last summer, and recently returned to this State, publicly asserted that the interests of all persons engaged in the development of the Territory of Alaska

have during the past season been greatly retarded by a feeling of distrust in the impartiality and independence of Judge Noyes of the District Court of Nome; and

WHEREAS, The very great existing trade relations and the expected future increase of business between this State and the Territory of Alaska must largely depend for their continuance and realization upon the basis of unquestioned confidence in the judiciary; therefore, be it

Resolved, That, though we cannot speak with actual knowledge of the facts which have been reported, but which are borne out by sworn testimony, we still cannot but recognize that great injury has been done and will be done to the commerce and capital of this State by reason of the reported doubts of the impartiality of Judge Noyes, and of the assertion that he has been to a large degree controlled in his judicial action by certain individuals.

Resolved further, That the interest of all the people require that the community of Alaska and the entire Pacific Coast be relieved from this uncertainty at the earliest moment, and that speedy investigation be had, and that if said charges are founded in fact, that Judge Noyes be removed.

Resolved further, That our Senators and Representatives in Congress be requested to lend their aid toward a speedy investigation of said public assertions.

Resolved further, That a copy of these resolutions be forwarded to our Senators and Representatives in Congress.

Read, and referred to Committee on Federal Relations.

By Mr. McWade: Assembly Bill No. 307—An Act entitled "An Act to appropriate money to pay the claim of the Oakland Water Company (a corporation) for water furnished the Industrial Home of Mechanical Trades for the Adult Blind, at Oakland, California, and which said water was furnished by said corporation to said Industrial Home under a contract therefor with the Board of Directors of said Industrial Home."

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 308—An Act entitled "An Act to appropriate money to pay the claim of H. Linderman, for boring a well on the grounds of the Industrial Home of Mechanical Trades for the Adult Blind, at Oakland, California, and furnishing the necessary labor and material therefor, which work was performed and which labor and material were furnished the said Industrial Home of Mechanical Trades for the Adult Blind by said H. Linderman, under a contract therefor with the Board of Directors of said Industrial Home."

Read first time, and referred to Committee on Claims.

By Mr. Collins: Assembly Bill No. 309—An Act to secure to native-born and naturalized citizens of this State the exclusive right to labor on public works in this State.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Carter: Assembly Bill No. 310—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 311—An Act to amend the Penal Code of the State of California, by adding a new section thereto, to be known and numbered as Section 402¾, relating to the manufacture, sale, exchange, barter, dispensing, or giving away any cigarettes, cigarette paper, or cigarette wrappers within the State of California, and fixing a penalty therefor.

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

By Mr. Stewart of San Diego: Assembly Bill No. 312—An Act making an appropriation to pay the claim of H. L. Wood for $300; being a reward offered for the arrest and conviction of Francisco Torres.

Read first time, and referred to Committee on Claims.

By Mr. Webber: Assembly Bill No. 313—An Act to add a new section to the Penal Code of California, to be known and designated as Section 1596, relating to the furnishing by the Wardens of the State Prisons of the State of California a photograph and a complete descrip-

tion of each convict sixty days before such convict is released from said State Prison.

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

Also: Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State Prisons or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty thereof.

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

Also: Assembly Bill No. 315—An Act amending the Code of Civil Procedure 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 referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 316—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 Corporations.

Also: Assembly Bill No. 317—An Act to amend Section 857 of the Civil Code, relating to express trusts, and the manner of selling real property under deeds of trust.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 318—An Act to repeal Section 2932 of the Civil Code, relating to powers of sales in mortgages.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

Read first time, and referred to Committee on Irrigation.

By Mr. Melick: Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 321—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 referred to Committee on Roads and Highways.

By Mr. Wright: Assembly Bill No. 322—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in 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 Boards 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 Swamp and Overflowed Lands and River Improvements.

By Mr. Ralston: Assembly Bill No. 323—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Hanen: Assembly Bill No. 324—An Act to amend Section 15 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

Also: Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Chandler: Assembly Bill No. 326—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

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

INTRODUCTION OF JOINT RESOLUTION.

By Mr. Ralston:

ASSEMBLY JOINT RESOLUTION No. 9.

Resolved by the Senate and Assembly of the State of California, jointly: That the Congress of the United States be respectfully and earnestly requested to immediately pass that certain bill known as "The California Mineral Lands Bill," and being the same bill drafted by the Hon. Binger Hermann, Commissioner of the General Land Office, and indorsed by the Hon. E A. Hitchcock, Secretary of the Interior, looking to the classification and segregation of the mineral lands within the railroad land grants of the State of California.

That the immediate passage of said bill is to the utmost degree important.

That without the relief sought through the bill in question, mineral titles will remain unsettled, mineral rights incapable of satisfactory adjustment, and the mineral resources within such grants undeveloped. Capital will not seek investment under existing conditions, and the consequent loss to the industrial resources in this State is almost incalculable. In short, the necessity for the desired relief is immediate, urgent, and imperative

Resolved further, That the Secretary of the Senate and the Chief Clerk of the Assembly be directed to immediately telegraph these resolutions to the Honorable President of the Senate and the Honorable Speaker of the House of Representatives of the United States, through our Senators and Representatives of California in Washington.

Read, and by unanimous consent immediately considered, without reference to committee or printer.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

NOES—None.

Assembly Joint Resolution No. 9 ordered immediately transmitted to the Senate.

RESOLUTIONS.

By Mr. Savage:

Resolved, That the Sergeant-at-Arms of the Assembly be and is hereby instructed to purchase for the use of the members of the Committee on Municipal Corporations seven copies of Finlayson's Street Laws of California, the same to be paid for out of the fund for the contingent expenses of the Assembly

Resolution adopted.

By Mr. Johnson:

Resolved, That the State Printer be instructed to print 500 additional copies of all Assembly bills, files, Journals, constitutional amendments, and joint resolutions for the use of the Assembly.

Resolution adopted.

By Mr. Brown of San Mateo:

Resolved, That up to five o'clock of afternoons during which the Assembly is not in session two of the Pages be and hereby are required to be in attendance in and about the Assembly Chamber. The Pages shall so attend in pairs in regular rotation, to be arranged by the Chief Clerk.

Resolution adopted.

At eleven o'clock and thirty minutes A. M., the Speaker called Mr. Dunlap to the chair.

INTRODUCTION OF JOINT RESOLUTION.

By Mr. Myers:

ASSEMBLY JOINT RESOLUTION No. 10

WHEREAS, There is pending in the Senate of the United States a bill known as the Grout Bill, having for its purpose the regulation of the manufacture and sale of oleomargarine or oleomargarine butter; and

WHEREAS, The dairymen of California are vitally interested in the passage of such bill, and that the operation of this bill would be very beneficial to the dairying industry of the State; therefore, be it

Resolved by the Assembly and Senate of the State of California, That we respectfully urge the Senate of the United States to enact said bill at its present session.

Resolved, That the Chief Clerk of the Assembly and Secretary of the Senate be directed to immediately mail this resolution to the Honorable President of the Senate of the United States, and also to each of the Senators from the State of California in the United States Senate.

Read, and by unanimous consent immediately considered, without reference to committee or printer.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hassen, Henry, Higby, Hubbard, Irish, Irving, James, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—67.

NOES—None.

Assembly Joint Resolution No. 10 ordered immediately transmitted to the Senate.

RESOLUTIONS.

By Mr. Webber:

Resolved, That a committee of three members of the Assembly be appointed immediately by the Speaker to examine into the work of the stenographers appointed by the Assembly, whether said stenographers have performed any work since their appointment, and whether they are competent to perform stenographic and typewriting work, and said committee to secure within the Capitol building a suitable room for the use of the stenographers of the Assembly, where said stenographers can be found by the mem-

bers of the Assembly, said committee to report back to the Assembly the result of their investigation.

Resolution adopted.

APPOINTMENT BY SPEAKER.

The Speaker appointed as such committee Messrs. Webber, Brown of San Mateo, and McLoughlin.

RESOLUTIONS—(RESUMED).

By Mr. Melick (as substitute to one adopted January 10th, covering the same amount):

Resolved, That the Controller be and is hereby authorized to draw his warrant for the sum of $109.50 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly. The same being for expenses incurred by him during the temporary organization of the House.

Resolution adopted.

At eleven o'clock and forty minutes A. M., the Speaker resumed the chair.

By Mr. Hourigan:

Resolved, That the Sergeant-at-Arms be and is hereby directed to have placed a radiator in Room 24, said room to be used for committee meetings. And the State Controller is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly, and the State Treasurer is hereby authorized to pay said warrant.

Resolution adopted.

ADJOURNMENT.

At eleven o'clock and forty-three minutes A. M., on motion of Mr. Fisk, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, January 18, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 18, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage

Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Myers, Knight, Kelley, and Merritt were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNALS.

The Journals of January 15, 1901, and January 16, 1901, were read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GREER, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Brown of San Francisco:

Resolved, That the following names be placed upon the payroll of the Assembly, to date from and include January 13, 1901, at the per diem set opposite their names, and the State Controller is hereby directed to draw his warrant for those herein named, and the State Treasurer is directed to pay the same out of the contingent expenses of the Assembly:

George P. Merritt, Committee Clerk..... $4 00
Samuel Miller, Sergeant-at-Arms to Ways and Means Committee..... 3 00

Resolved, That the name of W. F. Erchbacher be dropped from the payroll from January 7, 1901.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for active service rendered in defending prisoners from mob in the Colusa county jail in August, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Assembly Bills Nos. 21 and 24 referred to Committee on Ways and Means.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1901.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations in the military service of the State—report the same back, with the recommendation that it be referred to the Committee on Military Affairs.

Also: Assembly Bill No. 101—An Act to amend Section 2645 of the Political Code of the State of California—report the same back, with the recommendation that it be referred to the Committee on Roads and Highways.

Also: Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor—report the same back, with six amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 81—An Act to authorize the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year—report the same back, with the recommendation of a majority that it do pass

Also: Assembly Bill No. 5—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny—report the same back, with the recommendation that it do pass

Also: Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information—report the same back, with one amendment, and recommend that it do pass as amended.

JOHNSON, Chairman

Assembly Bill No. 97 referred to Committee on Military Affairs.

Assembly Bill No. 101 referred to Committee on Roads and Highways.

ON JUDICIARY—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1901

MR. SPEAKER: The undersigned, a minority of the Judiciary Committee, dissents from the report of the majority in reference to Assembly Bill No. 81, entitled "An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year," and recommends that the same do not pass.

HAMILTON A. BAUER

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 4, relative to the approval of the charter of the City of Pasadena.

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

Assembly Concurrent Resolution No. 4 read, and referred to Committee on Municipal Corporations.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Irish: Assembly Bill No. 327—An Act to repeal an Act entitled "An Act to incorporate the town of Downieville," approved March 18, 1863, and to repeal an Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to incorporate the town of Downieville,' passed March 18, 1863," approved March 31, 1866.

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

By Mr. Rutherford: Assembly Bill No. 328—An Act entitled "An Act to regulate the requirements for admission to State Normal Schools and providing for the nature of the courses of study to be followed therein, and governing the issuance and ranks of diplomas therefrom."

Read first time, and referred to Committee on Education.

By Mr. Macbeth: Assembly Bill No. 329—An Act adding fourteen sections to the Political Code, to be numbered 1357 to 1370, both inclusive, pertaining to primary elections, providing for and regulating the election of delegates thereat to nominating conventions in certain counties and cities, and the City and County of San Francisco.

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

Also: Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Read first time, and referred to Committee on Education.

By Mr. Cromwell: Assembly Bill No. 331—An Act to amend Section 374 of an Act entitled "An Act to establish a Penal Code."

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

Also: Assembly Bill No. 332—An Act to prevent the spread of infectious and contagious diseases among poultry.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 333—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code."

Read first time, and referred to Committee on Judiciary.

By Mr. Schlesinger: Assembly Bill No. 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaged in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof, and placing them under the supervision of the Bank Commissioners.

Read first time, and referred to Committee on Corporations.

By Mr. Butler: Assembly Bill No. 335—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.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 336—An Act to provide for the reconstruction of all culverts under roads and streets in counties, cities and counties, towns and townships, and cities, and towns in the State of California.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Radcliff: Assembly Bill No. 337—An Act to amend Section 208 of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 338—An Act to amend Section 207 of the Penal Code, relating to the crime of kidnaping.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 339—An Act to amend Section 1687 of the Political Code of California.

Read first time, and referred to Committee on Education.

By Mr. Bennink: Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

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

Also: Assembly Bill No. 341—An Act to provide certain improvements at the Southern California State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No. 342 -An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No. 343—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No. 344—An Act to provide certain improvements at the Southern California State Hospital, and making an appropriation therefor.

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

By Mr. Miller: Assembly Bill No. 345—An Act to amend Section 1222 of the Code of Civil Procedure, relating to contempts.

Read first time, and referred to Committee on Judiciary.

By Mr. Foster: Assembly Bill No. 346—An Act to provide for the laying out, opening, grading, sewering, curbing, macadamizing or paving, and sidewalking streets or alley-ways, or repairing same, within municipalities or cities of five thousand inhabitants or more, and to condemn and acquire any and all land necessary for that purpose.

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

By Mr. Simpson: Assembly Bill No. 347—An Act to create the office of Sheep Inspector for the State of California, to provide for the appointment, and to define the powers and duties of said officer and his deputies, and their compensation, and providing for the prosecution of offenses under the same, and to suppress and prevent dissemination of scab among sheep.

Read first time, and referred to Committee on Agriculture.

By Mr. Chiles: Assembly Bill No. 348—An Act amending Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election and terms of office of officers of cities of the fifth class.

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

Also: Assembly Bill No. 349—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the officers of cities of the fifth class.

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

By Mr. Johnson: Assembly Bill No. 350—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Read first time, and referred to Committee on Claims.

By Mr. John: Assembly Bill No. 351—An Act to amend Section 799 of the Political Code, relating to notaries public.

Read first time, and referred to Committee on Judiciary.

By Mr. Stewart of San Diego: Assembly Bill No. 352—An Act to amend Section 2 of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

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

By Mr. James: Assembly Bill No. 353—An Act to carry into effect Section 19 of Article XI of the Constitution of this State; to prevent monopoly, and secure to the inhabitants of any city or town the benefits of free competition in gas and electric service; and to prevent unreasonable or excessive rates, or discriminations therein.

Read first time, and referred to Committee on Corporations.

By Mr. Brown of San Mateo: Assembly Bill No. 354—An Act to amend Section 1665 of the Code of Civil Procedure of the State of California, relating to the distribution of the residue of the estates of decedents.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 355—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 1663½, providing for partial distribution to assignee of heir, devisee, or legatee.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 356—An Act to annul Section 1466 of the Code of Civil Procedure of the State of California, relating to the allowance out of the estate of a decedent for the support of the widow and children, or either.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 357—An Act concerning the fees of jurors in civil cases.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 358—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Read first time, and referred to Committee on Education.

By Mr. Sutro: Assembly Bill No. 359—An Act to amend Section 1 of an Act entitled "An Act authorizing the appointment of trustees of the estates of missing persons, and defining the duties of such trustees," approved March 23, 1893.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

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

Also: Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section, to be known as Section 637*a*, relating to game.

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

By Mr. Brown of San Mateo: Assembly Bill No. 362—An Act to amend Section 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo.

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

By Mr. Bennink: Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class.

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

SPECIAL ORDER—CONSIDERATION OF JOINT RULES.

Mr. Dunlap moved their adoption.

Mr. James moved to postpone further consideration until next legislative day.

Motion lost.

Mr. James moved to amend as follows:

Amend Rule 23 by adding at the end thereof the following words: "but the conferees may be discharged and other conferees appointed, or the report may be recommitted to the same conferees."

Mr. Johnson moved to lay the whole subject-matter over until Monday, to be made special order immediately after the reading of the Journal.

So ordered.

Mr. Chandler moved to take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3—Relative to the approval of the charter of the City of Fresno.

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

Senate Concurrent Resolution No. 3 referred to Committee on Municipal Corporations.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 9—Relative to the California mineral lands bill.

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

Assembly Joint Resolution No. 9 ordered to enrollment.

RESOLUTION.

By Mr. Brown of San Mateo:

Resolved, That until ordered otherwise by the Assembly, the stenographers of the Assembly, except the stenographers of Ways and Means and Judiciary committees, report daily at nine o'clock A. M. to the Chief Clerk of the Assembly for assignment to the different committees or places.

Resolution adopted.

By Mr. Johnson:

Resolved, That the State Printer is hereby directed to reprint 500 copies of all Assembly bills, constitutional amendments, joint and concurrent resolutions, Journals, files, and histories, and to print 1,000 copies of each of the above from and after this date.

Resolution adopted.

By Mr. Ralston:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant against the appropriation for contingent expenses of the Assembly, thirty-fourth session, for $85.39 in favor of W. O. Banks, Sergeant-at-Arms, to pay the balance

due on sundry bills incurred during the extra session of 1900. Said bills could not be paid in full owing to the appropriation for contingent expenses having been exhausted.

Referred to Committee on Claims.

SECOND-READING FILE.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Melick moved to take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the joint committee on Joint Rules of the Senate and Assembly, after amending Rule 23 thereof, so as to read as follows:

23 *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 the Committee on Free Conference shall be final, and must be accepted as such.

And respectfully ask the concurrence of your honorable body in the same.

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

Referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, January 17, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 6—Relative to forest reservation.

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

Mr. Brown of San Mateo moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 6—Relative to forest reservation.

The roll was called, and the rules suspended by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Dunlap, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Milice, Miller, Radcliff, Ralston, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Webber, Williams, and Mr. Speaker—48.

NOES—Messrs Butler, Collins, Cowan, Durvea, Evatt, Fisk, Franklin, Guilfoyle, Hourigan, Irish, Laird, Macbeth, McLoughlin, McWade, Ray, Rutherford, Stewart of Amador, Treadwell, Walker, and Wright—20.

SENATE JOINT RESOLUTION No. 6.

Relative to forest reservation.

WHEREAS, The United States owns in California eight millions of acres of forests reserves; and

WHEREAS, More timber is destroyed in the State every year through forest fires than is needed for five years of economic use; and

WHEREAS, Roads should be constructed and maintained, that the forests of enormous value may be accessible and may be protected from forest fires; and

WHEREAS, The services of trained foresters are needed that only trees ripe for the ax may be cut, thus introducing a system of forestry successfully used in European countries; and

WHEREAS, The inauguration of forestry as an income-producing industry would give employment to hundreds of men, notably to soldiers honorably discharged from the government service; and

WHEREAS, Even a portion of the millions of acres of government reserves, under a system of forestry, would yield a revenue sufficient in amount annually to purchase all the groves of sequoias (giant trees nowhere else existing in the world) now owned by private parties; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That on behalf of the interests of the United States Government itself, we urge an appropriation by the Congress of the United States of money to be expended in the accomplishment of the objects named in the above preamble, and we instruct our Senators and request our Representatives to use their best efforts to accomplish the purposes herein recommended.

Resolved, That the Secretary of the Senate be and he is hereby directed to cause a certified copy of this resolution to be forwarded by mail to the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and to each of our Senators and Representatives in Congress at Washington, D C.

The question being on the adoption of the resolution.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—68.

NOES—Messrs. Irish and Rutherford—2.

MOTION TO ADJOURN.

Mr. Schlesinger moved to adjourn until Monday, January 21, 1901, at eleven o'clock A. M.

Mr. Melick moved to amend by striking out all after the word adjourn.

Amendment lost.

The ayes and noes were demanded by Messrs. Anderson of Solano, Johnson, and Feliz.

The roll was called, and the motion to adjourn until Monday, January 21, 1901, was carried by the following vote:

AYES—Messrs. Anderson of Santa Clara, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Collins, Evatt, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irving, James, John, Kincaid, Levinson, Macbeth, Mattos, McLoughlin, McWade, Milice, Miller, Ralston, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Webber, Williams, and Wright—47.

NOES—Messrs. Anderson of Solano, Atherton, Carter, Chandler, Cowan, Cromwell, Dunlap, Duryea, Feliz, Greer, Hasson, Irish, Johnson, Knowland, Laird, McNeil, Melick, Radcliff, Ray, Roberts, Sheridan, Sutro, Walker, and Mr. Speaker—24.

ADJOURNMENT.

At eleven o'clock and fifteen minutes A. M., the Speaker declared the Assembly adjourned until Monday, January 21, 1901, at eleven o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 21, 1901.

The Assembly met at eleven o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—73.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Savage, Berry, Cavagnaro, Rutherford, John, Franklin, and Webber for the day.

PRAYER.

Prayer by Rev. George B. Allen.

READING OF JOURNAL.

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

SPECIAL ORDER—MOTIONS.

Mr. Dunlap moved that the Senate message relative to Rule 23, referred to Committee on Rules, be recalled from the committee, and that immediate action on same be taken.

So ordered.

Mr. Dunlap moved that the Assembly concur in Senate amendments to Rule 23.

Motion lost.

The question being on the amendment offered by Mr. James as heretofore submitted, as follows:

Amend Rule 23 by adding at the end thereof the following words: "but the conferees may be discharged and other conferees appointed, or the report may be recommitted to the same conferees."

On vote, amendment adopted.

Joint Rules, as amended, were thereupon adopted.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 180—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"—report the same back, with the recommendation that it be referred to the Committee on County and Township Governments.

Also: Assembly Bill No. 202—An Act to amend Section 487 of the Penal Code—report the same back, and recommend that the author have leave to withdraw the same.

Also: Assembly Bill No. 117—An Act to amend Section 2694 of the Political Code, relating to public highways—report the same back, with the recommendation that it be referred to the Committee on Roads and Highways.

Also: Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution—report the same back, with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 159—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions—report the same back, with the recommendation that it be referred to the Committee on Election Laws.

JOHNSON, Chairman.

Assembly Bill No. 180 referred to Committee on County and Township Governments.

Assembly Bill No. 117 referred to Committee on Roads and Highways.

Assembly Bill No. 159 referred to Committee on Election Laws.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR SPEAKER: Your Committee on Attachés and Employés beg leave to report that the committee clerks elected by the Assembly have been assigned for committee duty, as follows:

Agriculture— ——Magee.
Attachés and Employés—Edward Skelly.
Banks and Banking—J. C. Bates, Jr.
Census and Apportionment—N. B. Walker.
Claims—Henry Thompson.
Commerce and Navigation—Frank Storer.
Commissions and Public Expenditures—W. B. Reynolds.
Contested Elections—T. Bassety.
Corporations—Frank Lewis.
Counties and County Boundaries—Hiram Hopkins
County and Township Governments—Charles Klinkner.
Dairies and Dairy Products—George P. Merritt.
Election Laws—Fred Jensen.
Education— —— Tombs.
Engrossment and Enrollment—
Fruit and Vine Interests—E. B. Harlan.
Fish and Game—J. D Pomeroy.
Federal Relations—W. A. Brown.
Irrigation—Axel Johnson.
Judiciary—E. J. Dwyer and Edwin Hahn.
Labor and Capital—J. P. Fay.
Manufactures and Internal Improvements—Thomas Kendrick.
Mileage—David Creamer.
Military Affairs—E. Clarke.
Mines and Mining—J. F. Douglas.
Municipal Corporations— —— Garrett.
Public Buildings and Grounds—D. M. Noble.
Public Health and Quarantine—Frank Storer.
Public Lands and Forestry—Frank Lewis.
Public Morals— ——Douglas.
Public Printing—Wm. Zambresky.
Public Works, State Capitol, and Parks—E. J. Shay.
Revision and Reform of Laws—E. M. Treadwell.
Roads and Highways—C. L. Seavey.
Rules and Regulations—W. S. Hickman.
State Hospitals and Asylums—J. S. Chambers.
State Library—Joseph Myrick
State Prisons and Reformatory Institutions—Miss M. Garibaldi.
Swamp and Overflowed Lands and River Improvements—John Daley.
Immigration—Robert Crowley.
Ways and Means—H. F. Bridges.

GEORGE C. BROWN, Chairman.

Ordered printed in Journal.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 22—An Act to amend Section 2 of an Act entitled "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 appopriation of money for the purposes of this Act," approved March 17, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

GREER, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 3—Relative to recommending the enactment of legislation by Congress for the protection of the forests on Government lands in California—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

And your said committee, to whom was also referred Assembly Joint Resolution No. 4—Relative to making upon the island of Molokai a leper hospital for the care of all lepers in the United States—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman.

Mr. Brown of San Mateo, the author of Assembly Joint Resolution No. 3, by unanimous consent of the House, was allowed to withdraw the same.

APPOINTMENTS BY SPEAKER.

Mr. Higby was appointed chairman of Committee on Fish and Game, vice Mr. Collins, deceased.

Also, the following appointments on other committees, vice Mr. Collins, deceased:

Mr. Hasson, on Fish and Game; Mr. Broughton, on Counties and County Boundaries; Mr. McWade, on Public Buildings and Grounds; Mr. Milice, on Roads and Highways; Mr. Irish, on Judiciary; Mr. Myers, chairman of committee to which was referred that portion of Governor's Message relative to universities, etc.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 3—An Act to provide for the rebuilding, repairing, equipping, and furnishing the refectory building of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make appropriation for the same.

Also: Assembly Concurrent Resolution No. 1—Relative to thanking the State Relief Committee for the Texas sufferers

Also: Assembly Concurrent Resolution No 3—Relative to appointment of committee on resolutions in relation to death of Hon. Barnabas Collins

Also: Assembly Concurrent Resolution No. 4—Relative to appointment of committee to take charge of all arrangements for the funeral of the late Hon. Barnabas Collins

Also: Assembly Joint Resolution No. 9—Relative to California Mineral Lands Bill

Also: Correctly engrossed, Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

CLARKE, Acting Chairman

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. James: Assembly Bill No. 364—An Act appropriating $89.60 to reimburse Maria Willhartitz for moneys paid by her and received into the State Treasury as interest on a certain school land purchase after action begun for the foreclosure, and in ignorance thereof.

Read first time, and referred to Committee on Claims.

By Mr. Schillig: Assembly Bill No. 365—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 366—An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 367—An Act authorizing the Secretary of State to appoint two additional clerks in his office, in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 368—An act making an appropriation to pay the claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E. Dierssen, an assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 370—An Act to facilitate and increase the collecting of State and county and municipal licenses in the several counties, or cities and counties, of the State of California.

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

By Mr. Knowland: Assembly Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution of the State of California, in relation to the Legislature.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 371—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Haley: Assembly Bill No. 372—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read first time, and referred to Committee on Judiciary.

By Mr. Cromwell: Assembly Bill No. 373—An Act adding a new section to the Civil Code, to be numbered 108, relating to divorces.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 374—An Act to amend Section 92 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Hourigan: Assembly Bill No. 375—An Act to establish uniform rates to be charged by telephone companies or corporations within municipalities in the State of California, and prescribing a penalty for the violation of the provisions of this Act.

Read first time, and referred to Committee on Corporations.

By Mr. Broughton: Assembly Bill No. 376—An Act regulating imposition of licenses by counties or municipal corporations in certain cases.

Read first time, and referred to Committee on Corporations.

By Mr. Sheridan: Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses.

Read first time, and referred to Committee on Judiciary.

By Mr. Brady: Assembly Bill No. 378—An Act to amend Section 591 of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 379—An Act prescribing the conditions upon which corporations organized under the laws of any State or country, other than the State of California, may be permitted to transact a telephone business, other than an interstate telephone business, within the State of California, and prescribing a penalty for the violation of this Act.

Read first time, and referred to Committee on Corporations.

By Mr. Myers: Assembly Bill No. 380—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 first time, and referred to Committee on Irrigation.

By Mr. Treadwell: Assembly Bill No. 381—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers and appropriating money therefor.

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

By Mr. Melick: Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument and properly mark the spot where the Treaty of Cahuenga was made, and appropriating money therefor.

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

By Mr. McNeil: Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued.

Read first time, and referred to Committee on Judiciary.

By Mr. Ralston: Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 385—An Act to amend Section 857 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. Carter: Assembly Bill No. 386—An Act to amend Sections 296 and 297 of the Civil Code of California, and adding a new section to the said Civil Code, to be known and numbered as Section 296*a*, prescribing the duties of the Secretary of State relative to filing articles of incorporation, and to prevent duplicating names.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Bauer: Assembly Bill No. 388—An Act to pay the claim of Thos. J. Walsh, for conveying the election returns of Presidential Electors to Sacramento.

Read first time, and referred to Committee on Claims.

By Mr. Stewart of San Diego: Assembly Bill No. 389—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 390—An Act providing for the submission and enactment of ordinances by the direct vote of the qualified voters of counties, cities, and towns.

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

By Mr. Anderson of Solano: Assembly Bill No. 391—An Act to add a new section to the Political Code of the State of California, to be known as Section 1674, providing for the formation of union school districts and the maintenance therein of union schools.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 392—An Act to add a new section to the Civil Code, to be known and numbered as 2225, relating to making factors and brokers involuntary trustees.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Mateo: Assembly Bill No. 393—An Act to amend Section 620 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

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

By Mr. Johnson: Assembly Bill No. 395—An Act to amend Section 1 of an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March 28, 1874.

Read first time, and referred to Committee on Judiciary.

CONTESTS.

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

Wasson, contestant, vs. Henry—Forty-second Assembly District.

Lacy, contestant, vs. Franklin—Twenty-eighth Assembly District.

Strand, contestant, vs. Butler—Thirty-third Assembly District.

Horan, contestant, vs. Collins—Twenty-ninth Assembly District.

Referred to Committee on Contested Elections.

ASSEMBLY CONCURRENT RESOLUTION.

By Mr. Melick: Assembly Concurrent Resolution No. 5—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.

Read, and referred to Committee on Judiciary.

RESOLUTION—SPECIAL ORDER.

By Mr. Schillig:

Resolved, That each Assemblyman be and he is hereby permitted to place the names of four newspapers or persons on the list, and that the Chief Clerk designate one of the file clerks heretofore appointed to mail to such papers or persons one copy each of all printed bills and resolutions.

Ordered printed in Journal, and made special order for to-morrow, immediately after reading of Journal.

THIRD-READING FILE.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

Read third time.

MOTION.

Mr. Atherton moved that Assembly Bill No. 88 be referred to a select committee of one for the purpose of amending as follows:

Amend by striking out of Section 1, line two, printed bill, the word "two," and inserting in lieu thereof the word "four."

Motion carried, and it was so ordered.

Mr. Atherton was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

ATHERTON, Committee

Report adopted.

Assembly Bill No. 88 ordered to print, reëngrossment, and final passage.

SECOND-READING FILE.

Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874.

Read second time.

AMENDMENT.

Mr. Johnson moved to amend as follows:

Insert after the word "navigable," in line two, Section 1, the words and figures "approved February 4, 1874."

Amendment adopted.

Assembly Bill No. 25 ordered to print, engrossment, and third reading.

MOTION.

At twelve o'clock and twenty-nine minutes P. M., Mr. Johnson moved to extend time of recess until the file was finished.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bills Nos. 21, 24, and 81 were ordered referred to Committee on Ways and Means.

Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Read second time, and the following committee amendments submitted:

AMENDMENT No. 1.

Strike out the figure "½" where they occur in the title, and insert in lieu thereof the letter "a."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "and one half" in line two of the printed bill, and insert in lieu thereof the letter "a."

Amendment adopted.

AMENDMENT No. 3.

Strike out the figure "½" in line four of the printed bill, and insert in lieu thereof the letter "a."

Amendment adopted.

AMENDMENT No. 4

After the word "shall," in line five of the printed bill, insert the word "unlawfully."

Amendment adopted.

AMENDMENT No. 5

After the word "maliciously," in line thirteen of the printed bill, insert the words "and unlawfully."

Amendment adopted.

AMENDMENT No. 6.

Strike out the words "and on conviction," in line fourteen of the printed bill, and all of lines fifteen, sixteen, seventeen, eighteen, and nineteen of the printed bill.

Amendment adopted.

Assembly Bill No. 39 ordered to print, engrossment, and third reading.

Assembly Bill No. 5—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.

Mr. Cromwell moved to amend as follows:

Amend by adding to Section 1 a new paragraph.

"4. When the property taken is twelve or more chickens, turkeys, ducks, or geese from one person, firm, or corporation."

Amendment lost.

Assembly Bill No. 5 ordered to engrossment and third reading.

Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

Read second time.

Mr. Johnson moved to amend as follows:

Strike out the word "for," in line eleven of the printed bill, and insert in lieu thereof the word "not."

Amendment adopted.

Assembly Bill No. 95 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At twelve o'clock and forty-four minutes P. M., the Speaker declared the House adjourned until nine o'clock and thirty minutes A. M. of Tuesday January 22, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 22, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—79.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNALS.

The Journals of Thursday, January 17, 1901, and Friday, January 18, 1901, were read and approved.

REPORT OF STANDING COMMITTEE.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 5—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, defining grand larceny.

FRANKLIN, Chairman

SPECIAL ORDER—RESOLUTION.

By Mr. Schillig:

Resolved, That each Assemblyman be and he is hereby permitted to place the names of four newspapers or persons on the list, and that the Chief Clerk designate one of the file clerks heretofore appointed to mail to such papers or persons one copy each of all printed bills and resolutions.

Resolution adopted.

COMMUNICATION AND ORDINANCE.

CLERK OF THE CITY OF SAN DIEGO,
SAN DIEGO, CALIFORNIA, January 15, 1901.

To the Honorable Chief Clerk of the Assembly of the State of California:

DEAR SIR: Pursuant to instructions received by me from the Common Council of the City of San Diego, I herewith hand you a certified copy of Ordinance No. 867, adopted by the Common Council of the City of San Diego on the 14th day of January, 1901, and approved by the Mayor of said city on January 15, 1901, requesting your honorable body to adopt a resolution approving eleven certain amendments to the charter of the City of San Diego, California, ratified by the electors of said city at a special election held for that purpose in said city on the 12th day of January, 1901.

Yours respectfully,

[SEAL.] GEO. D. GOLDMAN,
City Clerk of the City of San Diego, California, and ex officio Clerk of the Common Council of the City of San Diego, California.

ORDINANCE No. 867.

An ordinance applying to the Senate and Assembly of the State of California for the passage of a concurrent resolution approving the amendments to the charter of the City of San Diego, California, ratified by the electors thereof on the 12th day of January, 1901.

WHEREAS, The Common Council of the City of San Diego, California, on the 22d day of October, 1900, adopted Ordinance No. 839 of the ordinances of said city, entitled "An ordinance proposing amendments to the charter of the City of San Diego, California, providing for the publication thereof, and describing and setting forth such amendments," which are as follows:

"Amending sub-section 53 of Section 1 of Chapter II of Article II of said charter, relative to incurring indebtedness;

"Repealing Article IV of said charter, relative to a police court;

"Amending said charter by adding Section 26 of Chapter I of Article V, relative to the powers of the Board of Public Works over any system of water works owned by the city;

"Amending Chapter II of Article V of said charter, relative to improvement of streets;

"Repealing Chapter III of Article V of said charter, relative to street improvement districts;

"Amending Chapter IV of Article V of said charter, relative to the opening of new streets;

"Repealing Chapter VI of Article V of said charter, relative to water commissioners;

"Amending Section 12 of Chapter II of Article VI of said charter, relative to incurring indebtedness;

"Amending Section 13 of Chapter II of said Article VI of said charter, relative to issuing bonds;

"Repealing Section 15 of Chapter II of Article VI of said charter, relative to depositing city funds in a bank;

"Amending Article VIII of said charter, relating to public library;

"Amending said charter by adding thereto Article XI, relative to a police court, which ordinance was approved by the Mayor of said city on the 31st day of October, 1900"; and

WHEREAS, All of said proposals to amend said charter contained in said Ordinance No. 839 were duly published for at least twenty days in the city official newspaper of

said city, to wit: The "San Diego Union and Daily Bee," which is a daily newspaper printed and published and of general circulation in said city, which publication was made as required by law and by the provisions of said Ordinance No. 839, which publication commenced on the 2d day of November, 1900, and ended on the 24th day of November, 1900; and

WHEREAS, Thereafter the said Common Council of said city on the 27th day of November, 1900, adopted Ordinance No. 850 of the Ordinances of said City of San Diego, entitled "*An ordinance calling and providing for a special election in and for the City* of San Diego, County of San Diego, State of California, to be held in said city on Saturday, the 12th day of January, 1901, for the purpose of submitting to the qualified electors of the said City of San Diego, twelve (12) certain proposals to amend the charter of said City of San Diego, pursuant to the provisions of, and in the manner provided by, the Constitution and laws of the State of California, establishing municipal election precincts for said election and designating polling places therein; appointing a board of election for each precinct, and providing for notice to be given of said election," which ordinance was approved by the Mayor of the said City of San Diego on the 28th day of November, 1900; and

WHEREAS, Pursuant to said Ordinance No. 850, said special election was held in said city on the 12th day of January, 1901, at which election the said proposed amendments to the said charter were submitted to the electors of said city for their ratification or rejection; and

WHEREAS, The said Common Council has on this 14th day of January, 1901, duly canvassed the returns of said special election, and declared and determined that at said special election the whole number of votes cast upon the ratification of said proposed Amendment No. 1 was 1,108 votes, of which number 884 votes were cast in favor of the ratification of the said proposed Amendment No. 1, and 224 votes were cast against the ratification of said proposed Amendment No. 1;

That the whole number of votes cast upon the ratification of said proposed Amendment No 2 was 1,097 votes, of which number 868 votes were cast in favor of the ratification of the said proposed Amendment No. 2, and 229 votes against the ratification of said proposed Amendment No. 2;

That the whole number of votes cast upon the ratification of said proposed Amendment No. 3 was 1,111 votes, of which number 897 votes were cast in favor of the ratification of the said proposed Amendment No. 3, and 214 votes cast against the ratification of said proposed Amendment No. 3;

That the whole number of votes cast upon the ratification of the said proposed Amendment No. 4 was 1,109 votes, of which 893 votes were cast in favor of the ratification of the said proposed Amendment No. 4, and 216 votes against the ratification of said proposed Amendment No 4;

That the whole number of votes cast upon the ratification of said proposed Amendment No. 5 was 1,100 votes, of which number 886 votes were cast in favor of the ratification of said proposed Amendment No. 5, and 214 votes against the ratification of said proposed Amendment No. 5;

That the whole number of votes cast upon the ratification of said proposed Amendment No. 6 was 1,101 votes, of which number 890 votes were cast in favor of said proposed Amendment No 6, and 211 votes against the ratification of said proposed Amendment No. 6;

That the whole number of votes cast upon the ratification of said proposed Amendment No. 7 was 1,095 votes, of which number 883 votes were cast in favor of the ratification of said proposed Amendment No. 7, and 212 votes against the ratification of said proposed Amendment No. 7;

That the whole number of votes cast upon the ratification of said proposed Amendment No 8 was 1,103 votes, of which number 894 votes were cast in favor of the ratification of the said proposed Amendment No. 8, and 209 votes against the ratification of said proposed Amendment No. 8;

That the whole number of votes cast upon the ratification of said proposed Amendment No. 9 was 1,096 votes, of which number 875 votes were cast in favor of the ratification of the said proposed Amendment No 9, and 221 votes against the ratification of said proposed Amendment No. 9;

That the whole number of votes cast upon the ratification of said proposed Amendment No 10 was 1,089 votes, of which number 867 votes were cast in favor of the ratification of the said proposed Amendment No. 10, and 222 votes against the ratification of said proposed Amendment No. 10,

That the whole number of votes cast upon the ratification of said proposed Amendment No. 11 was 1,102 votes, of which number 871 votes were cast in favor of the ratification of the said proposed Amendment No. 11, and 231 votes against the ratification of said proposed Amendment No 11;

That the whole number of votes cast upon the ratification of said proposed Amendment No 12 was 1,109 votes, of which number 306 votes were cast in favor of the ratification of the said proposed Amendment No. 12, and 803 votes against the ratification of said proposed Amendment No. 12; and

WHEREAS, The said Common Council has declared and determined that at said special election the said proposed amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 were duly carried, adopted, and ratified by the electors of said city, and that at said special election said proposed Amendment No 12 was not adopted, and not carried, and not ratified by the electors of said city; and

WHEREAS, Said Common Council desires that the honorable Senate of the State of California, and the honorable Assembly of the State of California, approve the ratification by said electors of the said eleven proposed amendments to said charter by the adoption of a concurrent joint resolution; therefore,

Be it ordained by the Common Council of the City of San Diego as follows:

SECTION 1. That the honorable Senate of the State of California and the honorable Assembly of the State of California be and they are hereby respectfully requested to approve, by the adoption of a concurrent joint resolution, the ratification by the electors of said city of the said eleven proposed amendments to the charter of said city

SEC. 2. That after said eleven proposed amendments so ratified by said electors of said city shall have been so approved by the Senate and Assembly of the said State of California, that a copy of such amendments, duly certified by the Mayor of said city and authenticated by the seal of said city, setting forth the submission of such amendments to the electors of said city and the ratification of said eleven amendments by said electors, shall be made in duplicate and deposited, one copy in the office of the Secretary of State, and the other filed in the office of the County Recorder of the County of San Diego, State of California, which copy of said amendments so ratified and approved, after being recorded in said Recorder's office, shall be deposited in the archives of the said City of San Diego, and thereafter all courts shall take judicial notice of the amendments to the said charter.

SEC. 3. This ordinance shall be in force and take effect from and after its passage and approval.

SEC. 4. That the City Clerk of the City of San Diego be and he is hereby authorized and directed to, immediately after the approval of this ordinance, publish this ordinance or cause the same to be published once in the city official newspaper of said city, to-wit: The "San Diego Union and Daily Bee," and thereafter to send a certified copy hereof to the Clerk of the Senate and the Clerk of the Assembly of the said State of California.

Passed and adopted by the Board of Delegates of the City of San Diego, California, this 14th day of January, 1901, and signed in open session thereof by the President of said Board January 14, 1901

FRANK P. FRARY,
President of the Board of Delegates of the City of San Diego, California.

Passed and adopted by the Board of Aldermen of the City of San Diego, California, this 14th day of January, 1901, and signed in open session thereof by the president of said board January 14, 1901.

SAM'L G. INGLE,
President of the Board of Aldermen of the City of San Diego, California.

I hereby approve the foregoing ordinance this 15th day of January, 1901.

EDWIN M. CAPPS,
Mayor of the City of San Diego, California.

[SEAL.] Attest: GEO D. GOLDMAN, City Clerk.

OFFICE OF THE CITY CLERK OF THE
CITY OF SAN DIEGO, IN THE COUNTY OF SAN DIEGO, } ss.
STATE OF CALIFORNIA.

I, Geo. D. Goldman, City Clerk of the City of San Diego, in the County of San Diego, State of California, and ex officio Clerk of the Common Council of the said City of San Diego, do hereby certify that the foregoing is a full, true, and correct copy of the original ordinance adopted by the Common Council of the City of San Diego on the 14th day of January, 1901, and approved by the Mayor of the said City of San Diego on the 15th day of January, 1901, and now of record in my office.

Witness my hand and the seal of the said City of San Diego this 16th day of January, 1901.

[SEAL.] GEO. D GOLDMAN,
City Clerk of the City of San Diego, California, and ex officio Clerk of the Common Council of the City of San Diego, in the County of San Diego, State of California.

Communication and ordinance ordered printed in the Journal.

RESOLUTION.

By Mr. Guilfoyle:

Resolved, That J. Steppacher is hereby appointed Clerk to the San Francisco Delegation, to assist the said delegation in the apportionment of the City and County of San Francisco, at a per diem of $5 00, to date from January 21st, and that the Controller is authorized to draw a warrant on the Treasurer for the same, to be paid out of the Contingent Fund of the Assembly, and that the Treasurer is authorized to pay the same.

Referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year

Also: Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies "B" and "D," Second Infantry Regiment, National Guard of California, for active services rendered in defending prisoners from mob in the Colusa county jail in August, 1897.

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

FISK, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 90—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain—report the same back, with the recommendation that it do pass

Also: Assembly Bill No. 36—An Act to amend Section 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872—report the same back, with the recommendation, by a majority, that it do not pass; a minority recommend that it do pass.

Also: Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution, by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 181—An Act amending Section 1570 of the Penal Code of the State of California—Relative to the disposition of fines and forfeitures collected by any court in the State of California—report the same back, with two amendments, and recommend that it do pass as amended.

JOHNSON, Chairman.

ON JUDICIARY—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: A minority of your Judiciary Committee, having had under consideration Assembly Bill No. 36—An Act to amend Section 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872—dissent from the action of the majority, and recommend that the bill do pass.

JOHNSON.
JAMES.
MACBETH
COWAN.
MYERS.
IRISH.
GANS.
SAVAGE.
CARTER.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred resolution by Mr. Ralston that "The Controller be and he is hereby authorized and directed to draw his warrant against the appropriation for contingent expenses of the Assembly, thirty-fourth session, for $85.39 in favor of W. O. Banks, Sergeant-at-Arms, to pay the balance due on sundry bills incurred during the extra session of 1900; said bills could not be paid in full owing to the appropriation for contingent expenses having been exhausted"—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Bill No. 45—An Act making an appropriation to pay the deficiency for pay of officers and clerks of the Assembly, thirty-third session, fiftieth fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California, for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Also: Assembly Bill No. 19—An Act to appropriate $1015 to pay the claim of Thomas D Riordan for legal services rendered and expenses incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs Charles F Curry, as Secretary of State of the State of California, No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of State of the State of California, defendant and respondent, and numbered San Francisco No. 2442.

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

Also: Assembly Bill No. 115—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State, in relation to the erection of buildings," approved March 23, 1876—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Public Buildings and Grounds

Also: Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf 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.

HENRY, Chairman.

Resolution read and adopted.

Assembly Bills Nos. 45, 137, 19, and 52 referred to Committee on Ways and Means.

Assembly Bill No. 115 re-referred to Committee on Public Buildings and Grounds.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Also: Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section numbered 636*a*, all relating to the preservation of fish.

Have had the same under consideration, and report the same back, and recommend that Assembly Bill No. 63 do pass.

HIGBY, Chairman.

Assembly Bill No. 63 re-referred to Committee on Ways and Means.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No 53—An Act to amend Section 3488 of the Political Code of the State of California—Relating to the public lands 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.

GREER, Chairman.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1901.

MR SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 206—An Act to prevent fraud in the sale of Paris green—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McNEIL, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Kelley: Assembly Bill No. 396—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 referred to Committee on Judiciary.

By Mr. Irish: Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation

to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893.

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

Also: Assembly Bill No. 398—An Act appropriating money for the payment of claims against the State, arising in the counties of Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, and Trinity, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Claims.

By Mr. Webber: Assembly Bill No. 399—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 71½, relating to appropriation or donation, or voting to appropriate or donate any public funds, by any officer or member of any public board for any purpose not required or permitted by law, and providing a punishment therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown: Assembly Bill No. 400—An Act to amend Section 538 of the Code of Civil Procedure of the State of California, relating to attachments in civil actions.

Read first time, and referred to Committee on Judiciary.

By Mr. Schillig: Assembly Bill No. 401—An Act for the better protection of agricultural interests by restricting the licensing by counties of cultivation of the soil and of the raising of domestic stock.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep.

Read first time, and referred to Committee on Agriculture.

Also: Assembly Bill No. 403—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto, shall be taken.

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

By Mr. Carter: Assembly Bill No. 404—An Act defining investment companies and regulating and governing corporations, companies, associations and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment, by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof.

Read first time, and referred to Committee on Corporations.

By Mr. Hourigan: Assembly Bill No. 405—An Act to amend Section 1970 of the Civil Code of the State of California, in relation to the obligations of employers.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 406—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1972 of the Civil Code of the State of California, in relation to the obligations of employers.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 407—An Act to amend an Act entitled "An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof," approved March 20, 1899.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 408—An Act entitled "An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges, and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production.

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

Also: Assembly Constitutional Amendment No. 14—An Act to propose to the people of the State of California an amendment to the Constitution of the State amending Section 15 of Article XX, relating to liens of mechanics, laborers, material-men, sub-contractors, and contractors.

Read, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

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

Also: Assembly Bill No. 410—An Act amending Section 1189 of the Political Code, relating to elections.

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

Also: Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

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

Also: Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections.

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

Also: Assembly Bill No 413—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "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.

Read first time, and referred to Committee on Judiciary.

By Mr. Stewart of San Diego: Assembly Bill No. 414—An Act to amend Section 3823 of the Political Code of the State of California.

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

Also: Assembly Bill No. 415—An Act to amend Section 3790 of the Political Code of the State of California.

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

By Mr. Knowland: Assembly Bill No. 416—An Act to create and regulate public warehouses.

Read first time, and referred to Committee on Corporations.

By Mr. Knight: Assembly Bill No. 417—An Act to amend Subdivision 2 of Section 1, Article III, of an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a board of directors for the government thereof, and appropriating the sum of $65,000 for the support of said Home," approved March 17, 1887.

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

Also: Assembly Bill No. 418—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read first time, and referred to Committee on Laws.

Also: Assembly Bill No. 419—An Act adding sixteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, and 1381, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

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

By Mr. Dunlap: Assembly Bill No. 420—An Act making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, to purchase three new boilers for the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

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

Also: Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, for the purchasing of the necessary machinery and equipment and the construction of an ice manufacturing plant and refrigerating room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

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

Also: Assembly Bill No. 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton.

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

Also: Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

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

By Mr. Bauer: Assembly Bill No. 424—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued.

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

By Mr. Henry: Assembly Bill No. 425—An Act regulating the hours

of service on regular duty by members of the police department of cities, and cities and counties.

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

By Mr. Greer: Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J. Elder, for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Read first time, and referred to Committee on Claims.

WITHDRAWAL AND RE-REFERENCE OF BILLS.

Mr. Bennink moved that Assembly Bills Nos. 340, 341, 342, 343, and 344 be withdrawn from Committee on Public Buildings and Grounds and re-referred to Committee on State Hospitals and Asylums.

So ordered.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Anderson of Solano to the chair.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Committee on Commissions and Public Expenditures be and it is hereby directed to fully and thoroughly investigate the transactions of the California Commission to the Paris Exposition, including all expenditures made by them, and also including the award of medals to California exhibitors, and all matters connected therewith, and to commence said investigation immediately, and prosecute the same to as speedy a conclusion as possible, and to report to the Assembly, fully, the testimony by them taken, and their conclusions and recommendations in reference thereto.

SUBSTITUTE RESOLUTION.

By Mr. Fisk:

Resolved, That the Commission to the Paris Exposition be required to present to the Committee on Commissions and Public Expenditures, within twenty days, a full report of their actions, and vouchers of all expenditures.

Mr. Brown of San Mateo moved to amend the substitute resolution as follows:

Amend by inserting after the word "committee" the following words: "of the Assembly."

Amendment adopted.

Mr. Schlesinger moved to further amend as follows:

Amend by inserting the word "duplicate" before the word "voucher."

Amendment adopted.

Substitute, as amended, lost.

At eleven o'clock and fifteen minutes A. M., the Speaker resumed the chair.

Mr. Melick moved that the reference be to a special committee instead of to Committee on Commissions and Public Expenditures.

Motion lost.

The question now recurring on the original resolution.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Municipal Corporations, having had under consideration Senate Concurrent Resolution No 3—Approving the charter of the City of Fresno—report the same back, with the recommendation that the same be adopted.

Also: Assembly Bill No 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—report the same back, with the recommendation that the same do pass.

Also: Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897—report the same back, with the recommendation that the same do pass.

Also: Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts—report the same back, with twelve amendments, and recommend that the bill do pass as amended

Also: Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure—report the same back, with six amendments, and recommend that the bill do pass as amended.

Also: Assembly Bill No. 138—An Act to amend Section 647 of the Penal Code—report the same back, and recommend that the same be referred to the Committee on Judiciary.

Also: Assembly Bill No. 140—An Act to establish police courts in cities of the second class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof—report the same back, with two amendments, and recommend that the bill do pass as amended.

SAVAGE, Chairman

ON MUNICIPAL CORPORATIONS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR SPEAKER: The minority of your Committee on Municipal Corporations, to whom was referred Assembly Bill No 139—An Act to amend Section 103 of the Code of Civil Procedure—respectfully reports back thereon, and recommends that the same be amended by striking out the words "twenty-four hundred," in line forty-three of Section 1, and that, as thus amended, the same do pass.

FRANK JAMES.

Assembly Bill No. 138 re-referred to Committee on Judiciary.

MOTION.

Mr. Broughton moved that Assembly Bill No. 15 be taken up out of order and given second reading.

So ordered.

Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend Section 1 by inserting in line four of the printed bill, after the words "gas for," the words "heat and."

Amendment adopted.

COMMITTEE AMENDMENT No. 2

Amend Section 1 by inserting in line five of the printed bill, after the word "electric," the words "heat and."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend Section 1 by inserting in line ten of the printed bill, after the word "railroads," the words "and except."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

Amend Section 2 by inserting after the word "discretion," in line four of the printed bill, the words: "and when the application is accompanied with a petition praying that the same be granted, signed by the owners of three fourths of the frontage of the real property fronting along and upon the route of the franchise applied for must"

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

Amend Section 3 by striking out in line seven the words "at least."

Amendment adopted.

COMMITTEE AMENDMENT No. 5½

Amend Section 5 of the printed bill by striking out in line ten thereof the words "City Council," and inserting in lieu thereof the words "governing body."

Amendment adopted.

COMMITTEE AMENDMENT No. 6.

Amend by adding a new section, to be known as Section 6, to read as follows.

"Section 6 Work to erect or lay telegraph or telephone wires, to construct street railroads, to lay gas pipes for the purpose of carrying gas for heat and power to erect poles or wires for transmitting electric heat or power, along or upon any public street or highway, or to exercise any privilege whatever, a franchise for which shall have been granted in accordance with the terms of this Act, shall be commenced in good faith within not more than four months from the granting of any such franchise, and if not so commenced within said time, said franchise so granted shall be declared forfeited, and shall be completed within not more than three years thereafter, and if not so completed within said time said franchise so granted shall be forfeited, *provided*, that for good cause shown the governing or legislative body may by resolution extend the time for completion thereof not exceeding three months."

Amendment adopted.

COMMITTEE AMENDMENT No. 7.

Amend Section 6, in line one of the printed bill, by striking out the figure "6" and inserting in lieu thereof the figure "7"

Amendment adopted.

COMMITTEE AMENDMENT No. 8.

Amend Section 7, in line one of the printed bill, by striking out the figure "7" and inserting in lieu thereof the figure "8."

Amendment adopted.

COMMITTEE AMENDMENT No. 9.

Amend Section 8 of the printed bill, line one, by striking out the figure "8" and inserting in lieu thereof the figure "9."

Amendment adopted.

COMMITTEE AMENDMENT No. 10.

Amend Section 9 of the printed bill, in line one, by striking out the figure "9" and inserting in lieu thereof the figures "10."

Amendment adopted.

COMMITTEE AMENDMENT No. 11.

Amend Section 10 of the printed bill, in line one, by striking out the figures "10" and inserting in lieu thereof the figures "11."

Amendment adopted.

COMMITTEE AMENDMENT NO. 12.

Amend Section 11 of the printed bill by adding after the word "repealed," in line two, the words:

"*Provided, however*, That nothing herein contained shall be construed as repealing or amending the following acts, to wit: An Act relating to the granting by the counties and municipalities of franchise for the construction of paths and roads for the use of bicycles and other horseless vehicles, approved March 27, 1897; 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," being Chapter XL of the Laws of 1897 of the State of California.

Amendment adopted.

Assembly Bill No. 15 ordered to print, engrossment, and third reading.

MOTION.

Mr. Anderson of Solano moved that the third-reading file be made up to include all bills entitled to engrossment.

So ordered.

RESOLUTIONS.

By Mr. Guilfoyle:

Resolved, That the Sergeant-at-Arms be and he is hereby authorized to secure a suitable room for the use of the Committee on Contested Elections and also for the Committee on Election Laws, and the cost of the same to be charged against and payable out of the Contingent Fund of the Assembly; and that the Controller be authorized to draw his warrant on the Treasurer for the same.

Mr. Macbeth moved to amend as follows:

"After consultation with the chairman of each committee affected by said resolution."

Amendment accepted by Mr. Guilfoyle.

Resolution, as amended, adopted.

By Mr. Melick:

Resolved, That the Committee on Attachés be instructed to assign to the exclusive use of the Committee on Commissions and Public Expenditures a competent stenographer now in the employ of the Assembly; also, that the Sergeant-at-Arms be instructed to assign to this committee one of his assistants; also, that the Sergeant-at-Arms procure a room in the Capitol Building for the use of this committee that shall be satisfactory to this committee.

Adopted.

MOTION.

Mr. Chandler moved that the Assembly now proceed to the consideration of Senate Concurrent Resolution No. 3.

So ordered.

The Chief Clerk was directed to read Senate Concurrent Resolution No. 3.

SENATE CONCURRENT RESOLUTION NO. 3.

Concurrent Resolution approving the Charter of the City of Fresno, County of Fresno, 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 nineteenth day of October, A. D. one thousand eight hundred ninety-nine

WHEREAS, The City of Fresno, in the County of Fresno, State of California, is now and at all times herein mentioned has been a city containing a population of more than ten thousand inhabitants; and

WHEREAS, At the regular city election held therein on the tenth day of April, A. D. one thousand eight hundred and ninety-nine, according to law and to the provisions of section eight of article eleven of the Constitution of the State of California, a board of fifteen freeholders, duly qualified, was elected in and by said city and by the qualified voters thereof, to prepare and propose a charter for said city; which board of freeholders did, within ninety days after said election, prepare, propose, and frame a charter for the government of said city; and whereas the same was on the thirtieth day of June, A. D. one thousand eight hundred ninety-nine, signed in duplicate by a

majority of the said board of freeholders; and said charter was thereupon and by said board of freeholders, returned, one copy to the chairman of the Board of Trustees of said city, and the chief executive officer thereof, and the other copy to the County Recorder of the said County of Fresno, the same being the county in which said city is situate; and whereas, said charter was published in two daily newspapers of general circulation in said city, to wit: in the "Fresno Morning Republican" and in "The Fresno Evening Democrat," in each instance for more than twenty days after such return, such publication having been commenced within twenty days after the completion of said proposed charter; and whereas, said charter was submitted within not less than thirty days after the completion of said publication by the legislative authority of said city, to wit: by the Board of Trustees thereof, to the qualified electors of said city, at a special election previously duly called, and thereafter held therein on the nineteenth day of October, A. D. one thousand eight hundred and ninety-nine; and whereas, at the special election last aforesaid, a majority of the qualified electors of said city voting thereat, did vote in favor of and ratify said charter so framed and proposed, and the same is now hereby submitted to the legislature of the State of California for its approval or rejection as a whole, as provided for in section eight of article eleven aforesaid; and whereas, the said charter so ratified is in the words and figures as follows, to wit:

CHARTER FOR THE CITY OF FRESNO.

ARTICLE I.

OF BOUNDARIES, RIGHTS AND LIABILITIES.

SECTION 1. The municipal corporation, now existing, known as the City of Fresno, shall remain and continue a body politic and corporate, in name and in fact, by the name of the City of Fresno, and by that name shall have perpetual succession; may sue and defend in all courts and places, and in all matters and proceedings whatever; and may have and use a common seal, and the same alter at pleasure; and may purchase, receive, hold and enjoy real and personal property, within and without the City of Fresno, and sell, convey and dispose of the same for the common benefit, and may determine and declare what are public uses, and when the necessity exists of condemning lands therefor, and what are the lands it is necessary to condemn; and may receive bequests, gifts and donations of all kinds of property, within and without the city, in fee simple or in trust for charitable or other purposes, and do all acts necessary to carry out the purposes of such bequests, gifts and donations, with power to manage, sell, lease or otherwise dispose of the same in accordance with the terms of the gift, bequest or trust.

SEC. 2. The public buildings, lands and property, all rights of property, and rights of action, all moneys, revenues, and income belonging or appertaining to the City of Fresno, are hereby declared to be vested in said City of Fresno.

SEC. 3. The said City of Fresno shall continue under this charter, to have, hold, use, and enjoy all public buildings belonging to the City of Fresno, and lands and property, real and personal, rights of property, rights of action, suits, actions, moneys, revenues, income, books, documents, records, archives, claims, demands, and things in possession and action, of every nature and description, and shall be subject to all the obligations, debts, liabilities, dues, and duties of the existing municipality.

SEC. 4. Suits, actions and proceedings may be brought in the name of the City of Fresno for the recovery of any property, money, or thing, belonging thereto, in law or equity, or dedicated to public use by the city, or for the enforcement of any rights of, or contracts with, said City of Fresno, whether made or arising or accruing before or after the adoption of this charter, and all existing suits, actions, and proceedings in the courts or elsewhere, to which said city is a party, shall continue to be carried on by or against the said City of Fresno.

SEC. 5. No recourse shall be had against the city for damage or loss to person or property suffered or sustained by reason of the defective condition of any sidewalk, street, avenue, lane, alley, court or place, or by reason of the defective condition of any sewer, or by reason of any defective drainage, whether any of said defects originally existed, or whether they were occasioned by construction, excavation or embankment; nor shall there be any recourse against the city for want of repair of any sidewalk, street, avenue, lane, alley, court or place, or by want of repair of any sewer, nor shall there be any recourse against the city for damage to person or property suffered or sustained by reason of accident on any sidewalk, street, avenue, lane, alley, court or place, or by falling from any embankment thereon or into any excavation therein; but in any such case the person or persons on whom the law may have imposed the obligation to repair such defect in the sidewalk, street or public highway, or in the sewer, and also the officer or officers through whose official negligence such defect remains unrepaired shall, with their sureties, be jointly and severally liable to the party injured for the damage sustained

Boundaries.

SEC 6. The boundaries of the City of Fresno are as follows.

Commencing at the southeast corner of section three, township fourteen south, range twenty east, Mount Diablo base and meridian; thence north to the northeast corner of said section; thence west to the northwest corner of section four in said township and

range; thence south to the southwest corner of the northwest quarter of said section four; thence west to the northwest corner of the east half of the southeast quarter of section five in said township and range; thence south to the southwest corner of the east half of the southeast quarter of section eight of said township and range; thence east to the southeast corner of the west half of the southeast quarter of the southeast quarter of section ten in said township and range; thence north to the northeast corner of the west half of the southeast quarter of the southeast quarter of said section ten; thence west to the southeast corner of the northwest quarter of the southeast quarter of said section ten; thence north to the northeast corner of the west half of the northeast quarter of said section ten; thence east to the point of beginning.

Said boundaries include all of sections three, four and nine; the west half, the west half of the northeast quarter; the west half of the southeast quarter and the west half of the southeast quarter of the southeast quarter of section ten; the east half of the southeast quarter of section five; the east half of the east half of section eight; all in township fourteen south, range twenty east, Mount Diablo base and meridian.

Wards.

SEC. 7. The city of Fresno is hereby divided into eight wards, numbered consecutively from one to eight inclusive, as follows.

All that portion of the city bounded by the centers of Magnolia avenue, Trinity, Calaveras and "N" streets and Glenn avenue, and the north and west boundary lines of the city shall constitute the first ward.

All that portion of the city bounded by the centers of Magnolia avenue, Trinity, Calaveras, "M" and Fresno streets and the west boundary line of the city shall constitute the second ward

All that portion of the city bounded by the centers of Glenn avenue, "N," Calaveras, "M," Fresno, "Q" and Diana streets and the north boundary line of the city shall constitute the third ward.

All that portion of the city lying southwest of the center of "M" street and between the centers of Fresno and Tulare streets shall constitute the fourth ward.

All that portion of the city bounded by the centers of Diana, "Q," Fresno, "M," Tulare and Angus streets and the north boundary line of the city shall constitute the fifth ward

All that portion of the city southwest of the centers of "K" street and between the centers of Tulare street and Ventura avenue shall constitute the sixth ward

All that portion of the city bounded by the centers of Angus, Tulare and "K" streets, the center of Ventura avenue and the east and north boundary lines of the city shall constitute the seventh ward.

All that portion of the city southeast of the center of Ventura avenue shall constitute the eighth ward.

ARTICLE II.

LEGISLATIVE DEPARTMENT.

SEC. 10. The legislative power of the city shall be vested in a Board of Trustees. Each member of the Board of Trustees shall be at least twenty five years of age A new Board of Trustees shall be elected every four years, and shall consist of eight members, to be nominated and selected from the respective wards and elected by the city at large. The nominee in each ward receiving the highest number of votes for Trustee shall be declared elected.

SEC. 11. Any vacancy occurring in the office of Trustee shall be filled by appointment by the Mayor, and the person so appointed by him shall possess the qualifications hereinbefore prescribed for members of said board, and shall hold office until the election and qualification of a Trustee to fill the vacancy, which election shall take place at the next succeeding municipal election.

SEC. 12. The Board of Trustees shall meet on the first Monday next after the election of its members shall have been officially declared, and shall hold regular meetings on every first and third Monday monthly thereafter

SEC. 13. Special meetings may be called by the Mayor or three members of the Board of Trustees. Five members of the board shall constitute a quorum, and the affirmative vote of five members shall be necessary for the passage of an ordinance, or the final transaction of any business; but a less number than five may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as the board may prescribe.

SEC 14. The Mayor shall preside at all meetings of the Board of Trustees. The Board of Trustees shall establish rules for its proceedings. It shall have the power to punish its members for disorderly conduct in its presence; and may expel any member for malfeasance in office by an affirmative vote of seven of its members. The board shall also have the power to compel the attendance of witnesses, and the production of all papers relating to any business before that body, and may punish disobedience of its subpœna, or contemptuous or disorderly conduct committed in its presence, by fine not exceeding fifty dollars, or imprisonment not exceeding five days, or by both such fine and imprisonment.

SEC. 15. The Mayor and the chairman of each committee of the board shall have the power to administer oaths and affirmations relating to any business brought before the board or under consideration by any committee thereof.

SEC 16 No ordinance shall be revised or amended by reference only to its title, but

when any ordinance is amended, the section or sections thereof so amended shall be re-enacted at length as amended.

SEC. 17 Every ordinance shall embrace but one subject, which shall be clearly indicated in the title. In all cases where the subject is not so expressed in the title, the ordinance shall be void as to the matter not expressed in the title.

SEC. 18. No proposed ordinance shall be adopted except by vote taken by ayes and noes, and the names be entered in the minutes

SEC 19. No resolution granting any franchise, and no ordinance for any purpose shall be passed by the Board of Trustees on the day of its introduction, nor within five days thereafter, nor until it has been published at least once in a newspaper published in the City of Fresno, or printed and posted in at least three public places therein, nor at any other than a regular meeting or an adjourned regular meeting, and no such resolution and no ordinance shall be passed without being first submitted to and its legal form approved in writing by the City Attorney.

SEC 20 No ordinance shall be passed except by bill. Every bill, after it has passed the board, shall be signed by the Mayor. The Mayor shall return such bill to the board, or file the same with the City Clerk, within ten days after receiving it. If he sign the same it shall then become an ordinance, but if he disapprove the bill he shall state his objections thereto in writing. If the bill be not returned with such approval or disapproval within the time specified, it shall take effect as if he had approved the same.

SEC. 21. When a bill is returned without the approval of the Mayor, the board shall, within fifteen days thereafter, proceed to consider and vote on the same If the bill be again passed by an affirmative vote of not less than six members, it shall take effect as if the Mayor had approved the same. If the bill fail, on being reconsidered, to receive six affirmative votes, it shall then be finally lost. The votes shall be taken by ayes and noes, and the result shall be entered in the minutes of the board.

SEC. 22 No ordinance passed by the board shall take effect until ten days after its passage and approval, unless otherwise provided in the enactment.

SEC 23 The Board of Trustees shall, in the year 1902, and every tenth year thereafter, redistrict the city into eight wards, making the same as nearly equal in population, and as geographically compact, as possible; but the city shall not be so redistricted within ninety days previous to any municipal election.

SEC. 24 The enacting clause of all ordinances shall be in these words: "The Board of Trustees of the City of Fresno do ordain as follows "

SEC. 25. Except as otherwise herein provided, no contract for supplies, printing, advertising, stationery, maintenance of prisoners, water, fuel, street sprinkling, street repairs, or lighting streets, public buildings, places or offices, shall be made for a longer period than one year; nor shall any contract be made to pay for water, fuel, gas, electric lights or any other illuminating material at a higher rate than is charged to any other customer.

SEC. 26. No contract calling for the payment of more than one hundred dollars shall be effective unless authorized by a vote of the Board of Trustees; when any contract shall be so authorized it shall, before it becomes effective, be presented to the Mayor for his approval; and the Mayor shall return the same to the board, or to the clerk thereof, within five days after receiving it. If he sign the same it shall then become a contract, but if he disapprove it, he shall state his objections thereto in writing. If the proposed contract be not returned with such approval or disapproval within said five days, it shall become valid as if he had approved the same. When a proposed contract is returned without the approval of the Mayor, the Board of Trustees shall, within ten days thereafter, proceed to consider and vote on the same. If it be again authorized by an affirmative vote of not less than six members, it shall become a valid contract of the city the same as if the Mayor had signed it, and not otherwise. The vote shall be taken by ayes and noes, and the result shall be entered in the minutes of the board.

SEC. 27 Every officer of the city shall, at the end of each month, make, in writing, and furnish to the Board of Trustees, a full and detailed statement upon oath of all moneys received or disbursed by him, and of his other official transactions during said month. He shall also make like statements at such other time as the Board of Trustees may require

SEC. 28. The Board of Trustees shall have power:

First—Except as in this charter otherwise provided—to try, and by majority vote of all the members of the board, to remove from office appointees against whom charges have been preferred; and by not less than seven affirmative votes to remove any appointee at any time when in the judgment of the board the public service will be improved thereby.

Second—To make by-laws and ordinances not repugnant to the Constitution of the United States or of the State of California, or any of the provisions of this charter.

Third—To levy and collect taxes and assessments on all property within the city, both real and personal, made taxable by law for state or county purposes, as hereinafter provided and limited.

Fourth—To sell, use, lease, control, improve and take care of the real estate and personal property of the city; *provided, however*, that said board shall have no power to mortgage or hypothecate any property of said city for any purpose.

Fifth—To lay out, extend, alter or close streets and alleys, provide for the grading, draining, cleaning, repairing, widening, lighting, or otherwise permanently improving the same, and for the construction, repair, regulation and preservation of sidewalks,

bridges, drains, curbs, gutters and sewers, and to prevent or remove obstructions thereto or to any part thereof, and to provide for the numbering of houses.

Sixth—To regulate or exclude the landing and storage of gunpowder and other combustible materials.

Seventh—To determine what are nuisances, and prevent and remove the same.

Eighth—To regulate the maintenance of acid works, slaughter-houses, wash-houses, laundries, tanneries, offensive trades, and all other manufactories, works, store houses and business of every description that may endanger the public safety, health or comfort, and to restrict the prosecution thereof to such fixed limits as may seem proper, or exclude such works and business from the city.

Ninth—To fix and collect license taxes on and to regulate theaters, melodeons, balls, concerts, dances, and all theatrical and melodeon performances and performances of any kind for which an admission fee is charged, or which may be held in any house where wines or liquors are sold, circuses, shows, billiard tables, bowling alleys, and all exhibitions and amusements. To fix and collect a license tax on all taverns, hotels, restaurants, saloons, bar-rooms, bankers, brokers, gold dust buyers, manufacturers, livery stable keepers, express companies and persons engaged in transmitting letters or packages, railroad and stage companies, or owners, whose principal place of business is in said city, or who shall have an agency therein; to license and regulate auctioneers; to license, tax, regulate, prohibit or suppress all tippling houses, dram shops, saloons, bars, bar-rooms, raffles, hawkers, peddlers, pawnbrokers, refreshment or coffee stands, booths and sheds; to prohibit and suppress all dog-fights, prize-fights, cock-fights, bull or bear or badger baits; also, to prohibit or suppress all gaming and all gambling or disorderly houses; also, to regulate, prohibit or suppress all houses of ill-fame; also, to fix and collect a license tax upon all lawful professions, trades or business not heretofore specified.

Tenth—To provide and maintain all public buildings, parks or squares necessary or proper for the use of the city, within or without the limits of the same.

Eleventh—To provide and maintain a morgue.

Twelfth—To prevent and restrain any riot or riotous assemblage or disorderly conduct within said city, or on property owned or leased by it.

Thirteenth—To establish and regulate markets.

Fourteenth—To provide for conducting elections and appointing the necessary election officers.

Fifteenth—To fix, alter and change the route of any railroad in the city, and regulate the speed at which the cars may run within the city limits, or any portion thereof

Sixteenth—To examine, either in open session, or by committee or commission, books, papers, vouchers, reports, and statements, of the several officers, or of any other person having custody, care, management, collection, disbursement, or control, of any moneys or property belonging, appertaining or appropriated to the city, or either of its funds, trusts or uses

Seventeenth—To license hackney coaches, cabs, omnibuses, drays, and other vehicles used for hire, and to regulate their stands and rates of fare, and to license or suppress runners for taverns or hotels.

Eighteenth—To examine and liquidate all accounts against the city, and to allow or reject the same or any part thereof, as found legal or illegal.

Nineteenth—To make appropriations, examine and audit, reject or allow, the accounts of all officers or other persons having the care, management, collection, or disbursement of any money collected for, belonging, appertaining or appropriated to the city, or any of its uses or trusts, and to determine, allow and pay the salary, fees or percentage which such officer or other person may by law be entitled to receive, except as otherwise herein provided; to make contracts and agreements for the use and benefit of the city, such contracts and agreements in all cases to specify the fund or funds out of which payment for the same is to be made, and that the same shall be paid out of the moneys appropriated to such fund or funds for the fiscal year. In no case shall a liability be created or a warrant drawn against any fund beyond the actual amount of money existing in such fund wherewith to meet the same; *provided, however*, should the board, or a majority thereof, contract or create any debt against the city contrary to the provisions of this charter, such debt, claim or obligation shall be null and void as against the city or any of its funds; but every Trustee voting in favor of the contracting or creation of any such illegal debt shall be held personally responsible for the entire debt so created or contracted, and shall be deemed guilty of a malfeasance in office, and upon conviction shall be removed therefrom.

Twentieth—To control, enlarge and improve or abolish the cemeteries belonging to the city, and to acquire other cemeteries, and to sell or lease lots therein; to control and regulate interments, and prohibit them within the city limits.

Twenty-first—To establish fire limits and prevent the erection of wooden buildings therein; to regulate the construction of buildings, sheds, awnings and signs.

Twenty-second—To provide for supplying the city with water, and to regulate the sale and distribution thereof.

Twenty-third—To provide for lighting the public streets, alleys, public buildings and public grounds, and to construct, purchase, lease, own, control, maintain and operate a system of lighting by artificial gas, natural gas, electricity or other means of illumination.

Twenty-fourth—To provide and maintain a city prison, and for the care, feeding, working and clothing of the city prisoners.

Twenty-fifth—To make real estate in said city liable for the construction of sidewalks, crossings and all other street improvements adjacent thereto, and provide for the forced sale thereof for such purposes.

Twenty-sixth—To prevent or regulate the running at large of any animals, to establish a pound and to authorize the destruction, sale or impounding of any animals found running at large.

Twenty-seventh—To regulate or prohibit the use of steam boilers, gas engines, the location of telegraph, telephone, electric light and other poles and wires, and the construction of entrances to cellars and basements from sidewalks.

Twenty-eighth—To regulate the entrances to and exits from theaters, lecture-rooms, public halls and churches and the number and construction of such entrances and exits, and to prohibit the placing of chairs, stools, benches or other obstacles in the aisles of such buildings.

Twenty-ninth—To regulate and control the construction and maintenance of, and to grant the right to construct and maintain, subject to control by the board, pipes, tubes, conduits, signal bells, warning signs, wires and other electric, telegraph and mechanical appliances, in, along, over, under and across the streets; *provided*, that said appliances shall be so constructed and placed as not to interfere with the fire alarm system, nor with the extinguishing of fires, nor with the free use of the sidewalks and streets Also to require railroad companies either to station flagmen or to place sufficient warning signals or signal bells on such street crossings as may in the judgment of the board be necessary. To construct or require any railroad corporation operating a railroad in or through the city to construct all necessary and convenient bridges or crossings over or under such railroad track or tracks, and according to plans and specifications and directions therefor provided by resolution or ordinance of the Board of Trustees; and to require to be opened and maintained by any railroad company or corporation operating, maintaining and conducting any railroad through any portion of said city, all such street crossings as may now exist or that public convenience may require, in the judgment of the Board of Trustees of said city; and by resolution or ordinance compel the opening of said crossings, and the maintenance and repair thereof as directed and required, and to prohibit the obstruction of any and all street crossings.

Thirtieth—To grant franchises permitting any person, company or corporation to lay and maintain tracks and to pass with steam railroads along, upon and across or elevated above or placed below any street of the city; *provided*, that the free use of such street shall not be unnecessarily obstructed thereby; *and provided, further*, that any such franchise shall be granted only after notice published for thirty days in a daily newspaper published in the city, and by ordinance passed by the affirmative votes of not less than six members of the board. Such grants shall be without prejudice to the rights of non-consenting owners to compensation for damages.

Thirty-first—To grant franchises for a term not exceeding twenty-five years for the construction and operation of street railways on and along the streets of the city, upon the following terms, viz: Whenever the Board of Trustees shall determine that a franchise to construct and operate a street railway along and upon any of the streets of the city should be granted, the board shall, after such determination, cause notice to be published for ten days in a daily newspaper published in the city, specifying the route over and along which it is determined to grant such franchise, and shall offer to grant the same to the person, company or corporation that shall agree to pay to the City of Fresno, at the expiration of ten years after the franchise is granted, and thereafter semi-annually, the largest per centum of the gross receipts of such road; *provided*, that all grants of franchises for street railways shall be upon condition that single fares on such road shall not exceed five cents, and that only such rails as are of the most approved pattern shall be made use of in the construction of the road The board may, in the granting of such franchise, impose such further regulations and restrictions in the use thereof as to the board may appear expedient, and the board may also reject any and all bids, and refuse to grant any franchise for the proposed route; *provided, further*, that the board shall not grant any franchise for the construction of a street railway except upon conditions that at least one per cent. of the gross receipts of such railway shall be paid to the city each year after the expiration of ten years from the granting of the franchise.

Thirty-second—To require every railroad company to keep the streets in repair between the tracks, and along and within the distance of two feet upon each side of the tracks occupied by the company.

Thirty-third—To require, upon such notice as the board may direct, any lots or portion of lots within the city which may be covered with stagnant water a portion of the year, to be filled up to such level or grade as will prevent the same from being so covered, and to assess the cost of such filling upon such real estate, and provide that it shall be a lien thereon; and to require and provide that the owners of lots fronting on any street or sidewalk of the city shall at all times keep such sidewalks free from weeds, grass and rubbish and other obstructions; and to remove all rubbish and unsightly matter from their property.

Thirty fourth—To make all needful rules to govern the official conduct and duties of all officers and employés of the city whose duties are not defined by this charter, and to impose additional duties upon those whose duties are stated; and to fix and regulate the charges and fees of all such officers where the fees are not otherwise fixed, and to compel the payment of all such charges and fees into the city treasury.

Thirty-fifth—To prescribe fines, forfeitures and penalties for the breach of an ordi-

nance and for the violation of any provision of this charter; but no penalty shall exceed the amount of three hundred dollars, or ninety days' imprisonment, or both such fine and imprisonment.

Thirty-sixth—To authorize the Mayor to employ, in addition to the City Attorney, an attorney at law to prosecute and defend the interest or property rights of the City of Fresno, or any question involving the rights of the inhabitants thereof in any suit pending or to be brought for or against the said city; and to provide for the employment and compensation of said attorney in any such suit or action; *provided* that where such compensation exceeds the sum of two hundred dollars, such employment or contract must be approved by the Board of Trustees.

Thirty-seventh—To make all rules and regulations necessary and proper for carrying into execution the foregoing powers and all other powers vested in the board by this charter or by general laws.

Thirty-eighth—To make and enforce all such other local, police, sanitary, and other regulations as are not in conflict with general laws or the provisions of this charter.

Thirty-ninth—To provide for the erection and construction of necessary levees, waterways, and other structures within or without the city, where necessary to prevent the overflow of said city by water, and to provide for the payment of the cost thereof.

ARTICLE III.

EXECUTIVE DEPARTMENT.

The Mayor.

SEC. 30. There shall be a Mayor, who shall be the chief executive officer of the city. He shall be at least thirty-two years of age.

SEC. 31. He shall vigilantly observe the official conduct of all public officers, and take note of the fidelity and exactitude, or the want thereof, with which they execute their duties and obligations, especially in the collection, administration and disbursement of the public funds and property, and 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 the said departments, boards, officers and persons are kept in legal and proper form; and any official defalcation or willful neglect of duty, or official misconduct which he may discover or which shall be reported to him, shall be laid by him before the Board of Trustees, City Attorney or District Attorney, in order that the public interests may be protected, and the person in default be proceeded against according to law.

One—He shall, from time to time, give the Board of Trustees information in writing relative to the state of the city, and shall recommend such measures as he may deem beneficial to its interest.

Two—He shall see that the laws of the state, the provisions of this charter, and the ordinances of the city are observed and enforced.

Three—He shall appoint a competent person, or persons, expert in matters of bookkeeping and accounts, to examine the books, records, condition and affairs of every department, board or officer, and report fully thereon, in writing, to him at least once in every year, and to enforce such examination. Any person refusing to submit to or permit such examination, or purposely delaying or impeding the same, must be suspended from office by the Mayor, and may be removed as for malfeasance in office.

Four—He shall have a general supervision over all departments and public institutions of the city, and see that they are honestly, economically and lawfully conducted.

Five—He shall take all proper measures for the preservation of public order and the suppression of all riots and tumults, for which purpose he is authorized and empowered to use and command the police force; and if such police force is insufficient, it shall be his duty to call upon the citizens, or the Governor for military aid, in the manner provided by law, in order that such riots or tumults may be properly and effectually suppressed.

SEC. 32. The Mayor shall preside at all meetings of the Board of Trustees, and shall be entitled to vote only on questions coming before said board when the votes of said Trustees are evenly divided.

SEC. 33. The Mayor shall sign all warrants ordered drawn by the Board of Trustees; and shall sign all written contracts entered into by said city, on behalf of the city. All of said contracts shall be executed in duplicate, one copy thereof delivered to the party contracting with the city, and the other filed in the office of the City Clerk for future reference.

SEC. 34. The Mayor shall sign all conveyances made by said city, and is authorized to acknowledge the execution of all instruments executed by said city, that require to be acknowledged.

SEC. 35. He shall, at least once a month, together with the Clerk and City Attorney, count the cash in the city treasury and see that it corresponds with the books of the Treasurer and Clerk, and report the result of such count to the Board of Trustees.

SEC. 36. 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 elective city officer (except a member of the Board of Trustees)

for a dereliction, neglect or non-performance of duty, and shall report the same to the Board of Trustees. If the board, after a hearing, by affirmative vote of at least six members, 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 Board of Trustees.

SEC. 37. When and so long as the Mayor is temporarily unable to perform his official duties, the Board of Trustees shall elect one of their number to act as Mayor pro tempore. When a vacancy occurs in the office of Mayor it shall be filled for the unexpired term by the Board of Trustees assembled for the purpose. A member of the Board of Trustees, during the term for which he shall have been elected or appointed, shall be ineligible to fill such vacancy.

SEC 38. The Mayor, by and with the consent of the Board of Trustees, shall appoint all officers of the city whose election or appointment is not otherwise provided for in this charter or by law. When a nomination is made to the board action shall be taken thereon by the board in not less than five nor more than fifteen days thereafter; and in case the officer nominated is not confirmed, the Mayor shall, within ten days thereafter, nominate another, and may continue doing so until the place is filled. No member of the Board of Trustees shall ever suggest, request the appointment of, appoint, or nominate, any officer, clerk or employé to any place in the city government, except to fill a vacancy in the office of Mayor or City Clerk, and necessary election officers.

SEC. 39 The Mayor shall not, during the term for which he shall have been elected, hold any other office or be a member of any board or commission connected with the federal, state, county or city government, except as in this charter otherwise provided. Nor shall he ever receive from the city, for any cause or reason, any other or greater compensation than the salary allowed him by this charter as Mayor.

SEC. 40 The Mayor shall perform all such other duties as may be prescribed by law or ordinance.

City Clerk.

SEC. 41. There shall be a City Clerk who shall have the custody of and be responsible for the corporate seal, and all books, papers, records and archives belonging to the city not in actual use by other officers or elsewhere by special provision committed to their custody; he shall be present at each meeting of the Board of Trustees, and keep a record of its proceedings; he shall keep separate books in which, respectively, he shall record all ordinances, contracts, and official bonds; he shall keep all of his books properly indexed and open to public inspection when not in actual use; he shall make out, sign and deliver to the collector, charging him therewith and taking his receipt therefor, all licenses and receipts for water rates; he shall number and keep a record of all demands passed by the board, showing the date of approval, amount and name of original holder, the number, on what account, and out of what fund payable. It shall be his duty to be constantly acquainted with the exact condition of the treasury. He shall, on application of any person indebted to the city, holding money payable into the city treasury, or desiring to pay money therein, certify to the Treasurer the amount thereof, to what fund applicable, and by whom to be paid. He shall, upon the written order of the Treasurer directing him to issue a receipt for money paid into the city treasury, charge the Treasurer with the amount received by him and give the person paying the same a receipt therefor. It shall be his duty to apportion among the several funds all public money at any time in the city treasury not by law or ordinance specifically apportioned and appropriated, and forthwith notify the Treasurer of such apportionment or appropriation. He shall countersign and deliver to the proper officer all licenses and receipts for water rates, charging them therewith and taking their receipts therefor.

SEC. 42 He shall, on the first Monday of each month or oftener if required, report in writing to the Mayor, and likewise to the Board of Trustees, the condition of each fund in the treasury. He shall keep a complete set of books for the city, in which shall be set forth in a plain and business-like manner, every money transaction of the city, so that he can at any time tell the exact condition of the city's finances. He shall make a semi-annual report showing the sources from which the city's revenues were derived and how expended. He shall draw and sign all warrants upon the treasury, except as otherwise in this charter provided. Every demand must, before it can be paid, be verified by the oath of the claimant, or some one in his behalf and be presented to the Clerk for approval, who shall satisfy himself whether the money is legally due and remains unpaid, and whether the payment thereof from the treasury of the city is authorized by law, and if so out of what fund, and that there is sufficient money in such fund with which to pay the same. After such examination he shall approve or reject the claim, in whole or in part, and endorse on such demand his approval or rejection over his signature, together with the date thereof. If it be approved, the fund out of which it is to be paid shall be designated. If the claim be rejected, or any part of it, unless the party presenting it be willing to take in full of the entire demand the sum offered, the Clerk shall return it, with his reasons for rejecting it, to the board or other body which originally authorized it; then if it be allowed by a majority vote of all the members of the board, or other body authorizing it, and approved by the Mayor, it shall be audited in the same manner as if it had not been rejected; *provided*, the said board or other body had the authority to make the expenditure out of which the claim arose. No demand upon the city treasury shall be considered, presented for action, or acted upon, allowed or approved, unless it specify on its face each several item compos-

ing it, and the amount and date thereof. Every demand shall be numbered and acted upon by the Clerk in the order of its presentation to him, and when allowed, either in whole or in part, the warrant therefor shall be numbered and entitled to payment out of the fund on which it is drawn in the same order as allowed No demand upon the treasury shall be allowed by the Clerk in favor of any officer or other person, or his assigns, who is in any manner indebted to the city, without first deducting therefrom the amount of such indebtedness; nor in favor of any officer or other person, or his assigns, having the collection, care, custody or control of public funds, unless the accounts of such officer or other person have been presented, passed, approved and allowed as is or may be required by law; nor in favor of any officer or other person, or his assigns, who has neglected to make any oath required by law or ordinance, or other regulation of the Board of Trustees, nor in favor of any officer, or his assigns, who has failed, to the knowledge of the Clerk, to do any duty imposed upon him by law or ordinance, or other regulation of the Board of Trustees.

SEC. 43. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, with the amount of monthly salary or wages received by each opposite his name, which list shall be revised and corrected by him monthly, and perform such other duties as are or shall be imposed upon him by this charter or by ordinance; he shall devote his entire time to the duties of his office; he shall have power to take affidavits and administer oaths in all matters relating to the business of the city and shall make no charge therefor.

License Collector.

SEC. 44. The Chief of Police shall be ex officio License Collector. It shall be the duty of the License Collector to receive and collect all city licenses water rates, cemetery receipts, and such other branches of the city revenue not otherwise herein provided for as the Board of Trustees may by ordinance direct, and pay the same over to the Treasurer weekly. The time and manner of collection of licenses shall be provided by the Board of Trustees.

SEC. 45. Whenever any person required by any city ordinance to take out a license shall fail, neglect, or refuse to take out such license, and pay therefor in the manner and at the time in such ordinance provided; or, if any person so required to take out any license, shall transact, do or carry on any business, trade or occupation, without having first procured the requisite license for such trading or carrying on, the License Collector shall report such delinquent to the City Attorney, who shall at once bring suit in the name of the city, against the delinquent; and in such case the License Collector or City Attorney may make the necessary affidavit, as in other cases for an attachment, and a writ of attachment shall issue, upon the filing of the affidavit, against the property of such delinquent, without an undertaking being filed by or on behalf of the city, and in such action the sum of fifteen dollars—ten dollars of which shall be paid to the City Attorney for services in prosecuting said action, and five dollars to the License Collector for reporting the same—shall be included in the judgment as liquidated damages, together with the original debt and costs of the action; *provided, however*, nothing in this section shall authorize the court, officer, or any other person whomsoever, to make any claim or charge against the city for any services rendered in or about any such action; *and provided further*, that in any such suit no witness for the plaintiff shall be entitled to demand or receive any witness fees or mileage in advance, nor shall any witness be entitled to charge or receive any fees or mileage whatever unless the same be recovered as costs from the defendant; *and provided further*, that any person who shall commence or continue to do, transact or carry on any business, trade, profession, or calling, for which a license may by any ordinance be required to be taken out, without first procuring such license, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not less than ten dollars nor more than one hundred dollars, or be imprisoned for not less than five nor more than fifty days Upon the trial of any criminal action provided for by this section, the defendant shall be deemed not to have procured the proper license, unless he either produce it or prove that he did procure it; but he may plead in bar of the criminal action a recovery against him and the payment by him, in a civil action, of the proper license money, damages and costs.

SEC. 46. All billiard tables, bar fixtures, ten-pin alleys, pins and balls, furniture, crockery, glassware, liquors, and chattels of every kind used in transacting or carrying on or doing the business of a drinking saloon, bar, restaurant, billiard saloon, ten-pin alley, tavern, eating-house, ball-room, dance-house, theater or circus, where by ordinance such business is required to be licensed, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on the business in which they are allowed to be used; and every dray, cart, wagon, carriage, hack, omnibus, or other vehicle required by ordinance to be licensed, together with the horse or horses commonly used thereon, shall, without reference to the actual ownership of such property, be liable for and may be taken in attachment or on execution for the license money due on such dray, cart, wagon, carriage, hack, omnibus or other vehicle There shall be added to every license not obtained within five days after the same becomes due and payable, the sum of five dollars, which shall become a part of the license, and be paid into the treasury in the same manner as other revenues.

Superintendent Streets

SEC. 47. There shall be a Superintendent of Streets, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and shall hold office at the

pleasure of the Mayor, and whose duty shall be to see that the laws, ordinances, orders and regulations, relating to sewers, drains, levees, streets, alleys and highways are fully carried into execution, and that the penalties thereof are rigidly enforced. He shall superintend and direct the cleaning of all sewers and drains, and keep himself informed of the condition of all the public streets and highways and also of all public buildings, parks, lots, sewers, levees and grounds of the city, and report the same to the Board of Trustees.

SEC. 48. He shall perform such other duties as are hereinafter specified, or as the board may require of him; and he shall have the power and shall perform the duties required of the Superintendent of Streets by the 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, or by any Acts amendatory thereof, supplementary thereto, or substituted therefor. He shall keep a public office in the city, as provided by the board, and shall keep therein the records of his office and a register of all streets, alleys, sewers and drains, and all improvements and repairs made thereon, with an index for easy reference. Should he fail to see the laws, ordinances and regulations relating to the public streets and highways carried into execution, he and his sureties shall be liable upon his official bond to any person injured in person or property in consequence of said official neglect. All registers, records, books, contracts, plats, diagrams, and all papers and documents belonging to his office shall be delivered to his successor in office.

SEC. 49 He shall, under the direction of the Board of Health, inspect and examine all nuisances, privies, vaults, cesspools, buildings and low places within the city limits, with a view to the enforcement of all the laws and regulations relating to sanitary matters, and to cause the arrest of and vigorously prosecute all persons violating any of said laws and regulations.

City Engineer.

SEC 50. There shall be a City Engineer who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, and shall hold office at the pleasure of the Mayor, and shall perform all civil engineering and surveying required in the prosecution of the public works and improvements done under the direction of the board, and shall certify to the progress and completion of the same. It shall also be his duty to see that all buildings, balconies, porches, awnings, signs, and all fixtures appertaining to buildings, are constructed in a safe and substantial manner and according to the requirements of law and the city ordinances, and it shall also be his duty to cause the arrest of and prosecute all persons failing or refusing to comply with the law or ordinances in relation thereto.

SEC. 51 He shall act as inspector of plumbing and drainage, and to him, as such, plans and specifications of all contemplated constructions, improvements, repairs, and alterations within the city shall be submitted for his examination and report; he shall number and file the same, and record the names of the owners and architect and location.

SEC 52. He shall examine all plans and accompanying specifications, and, if in accordance with the rules of the Board of Health, he shall issue a permit for the work to go on. Any plan or specification that in his judgment does not conform to the rules shall not be approved, but shall be returned to the parties presenting it, with a written notice explaining the corrections necessary in order to comply with the rules.

SEC. 53 He shall examine all plumbing work before the same is covered up, or closed, and if found to be done in accordance with the rules and plans and specifications filed, he shall issue a certificate to that effect, and upon the completion of any plumbing work he shall examine the same, and if found to conform to the rules of the Board of Health and the plans and specifications filed, he shall issue a final certificate

SEC 54. He shall make a monthly report to the Board of Health of the number of plans and specifications received, the number approved and rejected, the number of first and final examinations made, where and by whom the rules have been violated, and such other matters as may be required by the Board of Health.

SEC. 55. He shall immediately, upon knowledge of any infraction of the rules and regulations, report the same to the Board of Health, and do such other work pertaining to his profession as he may be directed to do by the board or by any general law of the State of California. He shall keep a public office within the city, as provided by said Board of Trustees, and shall keep therein the records of his office and all maps, plats, surveys and certificates pertaining thereto, with an index for easy reference All such records, maps, plats, surveys and certificates, including monuments, shall be the property of the city, and shall be turned over to his successor in office.

City Attorney.

SEC. 56. There shall be a City Attorney, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees, who shall be an attorney at law, duly admitted to practice by the Supreme Court of this state. It shall be his duty to prosecute, on behalf of the people, all criminal cases before the Police Court and all violations of this charter and of city ordinances and resolutions. It shall be his duty to attend to all suits and other matters to which the city is a party, or in which the city may be legally interested; *provided*, the Mayor and Board of Trustees shall have control of all litigation of the city, and may direct an attorney, selected by the Mayor, to take charge thereof, or to assist the City Attorney therein. The City Attorney shall give his advice or opinion in writing to the Mayor, Board of Trustees, Board of Education or other

city officers, whenever required to do so, and do such other things appertaining to his office as by the Board of Trustees or Mayor may be required of him. He shall pass upon the sufficiency and validity of all bonds given to and all contracts made with the city. He shall, when required by the Board of Trustees, or any member thereof, draft any and all proposed ordinances, resolutions, laws, rules, contracts, bonds and all other legal papers for the city.

ARTICLE IV.

JUDICIAL DEPARTMENT—POLICE COURT.

SEC. 60. There is hereby created, in and for the City of Fresno, a court which shall be known as the Police Court of the City of Fresno.

SEC. 61. Said court shall consist of one judge, who shall be a duly licensed attorney of the Supreme Court of the State of California.

SEC. 62. Said court shall have exclusive jurisdiction:

(1) In all prosecutions for violations of the city ordinances.

(2) In all actions for the recovery of any fine, penalty or forfeiture, and the enforcement of any obligation or liability prescribed or created by the city ordinances and in which the sum sued for does not amount to three hundred dollars.

SEC 63. Within the city limits said court shall have concurrent and coordinate jurisdiction with township Justices' Courts in all matters and things in which said Justice's Court now or may hereafter have jurisdiction; and the judge of said Police Court shall have as aforesaid like authority, power and jurisdiction as the justices of said Justice's Court.

SEC. 64. Appeals may be taken to the Superior Court of the State of California, in and for the County of Fresno, from the judgments and orders of said Police Court, in all cases in which appeals now are or may hereafter be taken to said Superior Court from said Justices' Courts and Police Courts.

SEC. 65. In all proceedings in and appeals from said Police Court, the pleadings, practice, procedure and laws now applicable or that may hereafter be made applicable to said Justices' or Police Courts, are hereby adopted and made applicable to said Police Court.

SEC. 66. Upon the sickness or disability of the Judge of said Police Court, he may cause to preside in his place any qualified Justice of the Peace of the County of Fresno.

SEC. 67. Said Police Court shall be open for the transaction of business at all times.

SEC 68. The Board of Trustees shall provide a court-room and court-room accommodations, dockets, blanks and stationery free of charge for said court

SEC. 69. All fines and other moneys received or collected by the Judge of said Police Court, for or on account of the City of Fresno, shall be paid into the city treasury on the first Monday in each month.

SEC. 70 The Chief of Police shall assign a police officer for attendance on said court to preserve order therein, enforce its orders and serve its process.

SEC. 71. All actions and proceedings pending and undetermined in the existing City Recorder's Court shall be proceeded with, heard, tried and determined in said Police Court hereby provided for, before said judge, the same as if said actions or proceedings had been originally commenced in said Police Court.

ARTICLE V.

DEPARTMENT OF PUBLIC WORKS.

SEC. 80. The Board of Trustees shall, immediately after its organization, take possession and have the custody and control of all maps, surveys, field notes, records, plans, specifications, contracts, models, machinery, tools, appliances, contract rights, privileges, books, documents, papers, archives, and property belonging to said city, heretofore kept by or in the offices of the City Surveyor or Superintendent of Streets, or kept by or in the possession of any other officer, and pertaining to any public buildings or public works of the city

SEC. 81. The board shall have charge and superintendence of all public work of every kind, not otherwise controlled by general law, to be done for the city, and also of furnishing all material and supplies for public use, except as otherwise provided in this charter. It shall be the duty of the board to inspect vigilantly all parts of the city, and cause to be done, from time to time, such work as it shall deem necessary or proper.

SEC. 82. All public work authorized by the board to be done, and not within the provisions of the general law of the State of California operating thereon, and all materials and supplies to be furnished for public use, shall be done and furnished under written contract, except as hereinafter provided Before awarding any such contract for doing any work or furnishing any materials or supplies for the city, the board shall cause notice to be posted conspicuously in its office and published not less than ten days in a daily newspaper published in the city, inviting sealed proposals for the contemplated work or materials or supplies, and in case the estimated cost of the same exceed five thousand dollars, to be so posted and published for not less than twenty days; except that any repair or improvement or materials or supplies not exceeding an estimated cost of one hundred dollars may be made by the board under written contract, or otherwise, without advertising for sealed proposals, but no piece of repair work or improvement, or bill of materials or supplies or labor, shall under any circumstances be subdivided for the purpose of bringing the estimated cost within the limit herein pro-

vided; *provided, however*, that should there be imminent danger to the city from inundation, the board may, in its discretion, contract for the immediate repair of its levees without such notice, posting or publication.

SEC. 83. All proposals shall be made upon printed forms, to be prepared by the board and furnished gratuitously upon application. All proposals offered shall be accompanied by a check, certified by a responsible bank, payable to the order of the Mayor and clerk of the board, for an amount not less than ten per cent of the aggregate of the proposal, and no proposal shall be considered unless accompanied by such check. No person, corporation, or firm shall be allowed to make, file, or be interested in more than one bid for the same work or supplies. If, on the opening of said bids, more than one bid appear in which the same person, corporation or firm is interested, such bids shall be rejected.

SEC. 84. On the day and at the hour specified in said notice inviting sealed proposals the board shall assemble and remain in session for at least one hour thereafter, and all bids shall be delivered to the board by the bidder or his agent before the expiration of the hour named in the advertisement. No bid not so delivered to the board shall be considered. Each bid as it shall be received shall be numbered and marked "filed" by the City Clerk and authenticated by his signature At the expiration of the hour stated in the advertisement within which the bids will be received, the board shall in open session, open, examine and publicly declare the same, and an abstract of each bid shall be recorded in the minutes of the board by the clerk. Before adjourning, the board shall compare the bids with the record made by the City Clerk, and shall, thereupon, at said time, or at such other time, not exceeding twenty days thereafter, as the board may adjourn to, award the contract to the lowest bidder, except as otherwise herein provided. Notice of such award shall forthwith be posted for five days by the clerk of the board in some conspicuous place in the office of the board The board may reject any and all bids, and must reject the bid of any party who has been delinquent or unfaithful in any former contract with the city, and all bids other than the lowest regular bid; and on accepting said lowest bid, shall thereupon return to the proper parties the checks corresponding to the bids rejected. If all the bids be rejected, the board shall return all the checks to the proper parties, and again invite sealed proposals, as in the first instance. The check accompanying the accepted bid shall be held by the clerk of the board until the contract for doing said work, or furnishing said materials or supplies, as hereinafter provided, has been entered into, whereupon said certified check shall be returned to said bidder If said bidder fail or refuse to enter into the contract to do said work, or furnish said materials or supplies, as hereinafter provided, then the certified check accompanying his bid, and the amount therein mentioned, shall be forfeited to the city, and shall be collected and paid into the street fund. The board shall have no power to relieve from or remit such forfeiture.

SEC 85. If at any time it shall be found that the person to whom a contract has been awarded has, in presenting any bid or bids, colluded with any other party or parties, for the purpose of preventing any other bid being made, then the contract so awarded shall be null and void, and no recovery shall be had thereon, and the board shall advertise for a new contract for said work

SEC 86 All contracts shall be drawn under the supervision of the City Attorney, and shall contain detailed specifications of the work to be done, the manner in which it shall be executed, and the quality of the materials to be used, or the quality and quantity of the materials or supplies to be furnished No change or modifications in the plans or specifications, or quantity or quality of the materials or supplies to be furnished, shall be made after proposals for doing the work or furnishing said materials or supplies, have been called for, except by a unanimous vote of the board. Every contract entered into by the board shall be signed by the Mayor, and by the other contracting party All contracts shall be signed in duplicate, one of which, with specifications and drawings, if any, of the work to be done, and the materials to be furnished, shall be filed with the board, and the other, with said specifications and drawings, shall be delivered to the contractor. At the same time with the execution of said contract, said contractor shall execute to said city, and deliver to the clerk of the board, a bond in the sum named in the notice for proposals, with two or more sufficient sureties, to be approved by the board, or shall deposit with the City Clerk a certified check upon some solvent bank for said amount, for the faithful performance of said contract. The qualifications of such sureties shall be the same as of sureties upon the official bonds of county officers. The contract shall specify the time within which the work shall be completed, or materials furnished, and when to be completed, or during what time or when the supplies shall be furnished, as specified in the notice inviting proposals therefor. The board may extend said time, but in no event for more than ninety days beyond the time originally fixed for its completion, except by unanimous consent of the board. In case of failure on the part of the contractor to complete his contract within the time fixed in the contract, or within such extension of said time as is herein provided, his contract shall be void, and the board shall not pay or allow to him any compensation for any work done or supplies furnished by him under said contract beyond such sum as, in the judgment of the board, the work done or materials furnished are actually worth to the city, less the detriment suffered by the city by such loss of time in the completion of the same.

SEC 87 The Board of Trustees is hereby authorized to adopt, establish, and maintain a system of levees, canals, and drainage, and to construct and maintain the works necessary thereto; and to repair, maintain, construct, and control all levees, canals, outfall sewers, and other works necessary to the protection and safety of the city. The purposes

for which any and all the works in this section mentioned are or may be constructed are hereby declared public uses, and the City of Fresno is hereby authorized to proceed at any time, under the provisions of the statutes for that purpose, to condemn for such use any and all property necessary to the construction and maintenance of such works; *provided, however*, no system or plan for any of the work in this section authorized to be performed shall be adopted by said board which will cost over one thousand dollars, unless such plan shall be first submitted to and ratified by a vote of the electors of said city; *and provided further*, that if any plan be adopted involving the expenditure of more than twenty thousand dollars, the money required to carry out such plan shall be raised either by the issuance of bonds or by direct taxation, as the electors at such election may determine.

ARTICLE VI.

ACQUISITION OF PUBLIC UTILITIES.

SEC. 90. It is hereby declared to be the purpose and intention of the people of the City of Fresno that such of its public utilities as shall be deemed to be for the best interest of the people shall be acquired and owned by the city. To this end it is hereby ordained:

SEC 91. Whenever a petition, signed by electors of the city equal in number to at least twenty-five per cent of all the votes cast at the last preceding general election, shall be presented to the Board of Trustees, setting forth that the signers thereof favor the acquisition by the city of any public utility, and requesting the Board of Trustees to prepare for submission to the electors of the city, as hereinafter provided, a proposition for the acquisition, by condemnation, construction or purchase, either of water works, gas works, electric light works, steam, water or electric power works, telephone lines, street railroads, or such other public utilities as the petition may designate, it shall be the duty of the Board of Trustees, within ninety days, to procure through the City Engineer, and any other sources, plans and estimates of the probable actual cost of the construction and completion or purchase of said utility In securing estimates of the cost of construction and completion of water works by the city, the Board of Trustees must procure and place on file plans and estimates of the cost of obtaining from all of the several available sources a sufficient and permanent supply of good, pure water for the city, in order that propositions for the acquisition, construction and completion thereof and incurring municipal indebtedness therefor may be submitted to the electors of the city.

SEC. 92. After such plans and estimates shall have been procured and filed, it shall be the duty of the Board of Trustees, within sixty days, to formulate and submit to the electors of the city, at a special election, such proposition. Before submitting such proposition to the electors for the acquisition by original construction or condemnation of public utilities, the Board of Trustees must solicit and consider offers for the sale to the city of existing utilities, in order that the electors shall have the benefit of acquiring the same at the lowest possible cost thereof.

SEC. 93. Immediately after receiving and filing the said plans and estimates or offers to sell existing utilities, as hereinbefore set forth, the Board of Trustees shall, by ordinance, call a special election, at which shall be submitted to the electors the proposition of acquiring such public utility and of incurring a debt for the acquisition of the same, as set forth in said ordinance. No question other than the acquisition of such utility and the incurring of the indebtedness therefor shall be submitted at such election.

SEC. 94 The ordinance calling such special election shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the proposed public utility, the necessity for the acquisition of the same, and that bonds of the city shall issue for the payment of the cost of the same as in such ordinance set forth—if the proposition be accepted by the electors—and shall fix a day on which such special election shall be held, the manner of holding such election, and the manner of voting for or against incurring such indebtedness. Such election shall be held as provided by law for holding elections in the city.

SEC. 95. Such ordinance shall be published daily for at least ten days in the official newspaper. At the expiration of said ten days the Board of Trustees shall cause to be published daily for not less than two weeks in the official newspaper a notice of such special election. Such notice shall specify the purpose for which the indebtedness is to be incurred, the amount of the proposed bonded indebtedness, the number and character of the bonds to be issued, the rate of interest to be paid, the amount of tax levy to be made for the payment thereof, and whether such bonded indebtedness shall be incurred. At least two thirds of the electors voting thereon at such election shall be necessary to secure such acquisition and to warrant the issuance of municipal bonds therefor, as hereinafter set forth

SEC 96. No indebtedness shall be incurred for the acquisition of any public utility under the provisions of this article, which, together with the existing bonded indebtedness of the city, shall exceed at any one time ten per centum of the assessed value of all real and personal property of the city in accordance with the last assessment roll.

SEC 97. The bonds issued under the provisions of this article shall be of the character of bonds known as serials, and shall be payable in lawful money of the United States Not less than one fortieth part of the whole amount of indebtedness shall be paid each and every year, on a day and at a place to be fixed by the Board of Trustees,

together with the interest on all sums unpaid at such date. The bonds so issued shall be in denominations of five hundred dollars, and preference in the sale and allotment thereof shall be given to subscribers for the smallest amounts. Said bonds must be payable on the day and at the place fixed herein, and with interest at the rate specified therein, but such interest shall not exceed five per centum per annum, payable semi-annually Such bonds, when issued, may be sold by the Board of Trustees from time to time as required, and in such quantities as they may determine, but the same must be sold for cash in lawful money of the United States, as aforesaid, to the highest bidder, at not less than par, after having been advertised in such newspapers and in such other manner as the board may elect; *provided*, that such sale of bonds shall be advertised in the official newspaper for at least thirty days They shall be sold under sealed proposals, and the Board of Trustees shall have the right to reject any or all bids made for the purchase thereof. The proceeds of such sale shall be placed in the treasury to the credit of the proper fund, and shall be applied exclusively to the purposes and objects mentioned in the ordinance authorizing their issue until such objects are fully accomplished, after which, if any surplus remains, such surplus shall be transferred to the general fund.

SEC 98. Such bonds shall be signed by the Mayor and the Treasurer, and shall be countersigned by the City Clerk. The coupons shall be numbered consecutively and signed by the Treasurer, and the bonds and coupons shall be payable at the office of the Treasurer.

SEC. 99. At the time of levying the municipal tax and in the manner provided for such tax levy, the Board of Trustees shall levy and collect annually a tax sufficient to pay the annual interest on such bonds, and also the proper aliquot part of the aggregate amount of such indebtedness so incurred. Such taxes shall be in addition to all other taxes levied for municipal purposes, and shall be collected at the same time and in the same manner as other municipal taxes are collected.

SEC 100 A neglect or refusal on the part of the Board of Trustees, or any member thereof, to comply with the provisions of this article shall constitute cause for the removal from office, as for a neglect or refusal to perform official duty

ARTICLE VII.

TAX LEVY.

SEC. 110. The Board of Trustees shall, on or before the first Monday of September in each year, fix the rate of city taxes, designating the number of cents on each hundred dollars of property levied for each fund, and will levy the city taxes upon the taxable property therein

SEC. 111. The levy for all purposes for any one year shall not exceed one dollar on each one hundred dollars of the assessed value of all real and personal property within the city, except a levy for the payment of the bonded indebtedness of the city and the interest thereon, or other special tax voted by the people.

ARTICLE VIII.

BONDED INDEBTEDNESS.

SEC. 120. When the Board of Trustees shall determine that the public interest requires the construction or acquisition of any permanent municipal building or improvement, the cost of which in addition to the other expenses of the city will exceed the income and revenue provided for the city for any one year, they must, by ordinance passed by the affirmative vote of not less than six members of the board, submit a proposition to incur a bonded indebtedness for such purpose to the electors of the city at a special election to be held for that purpose only All the provisions of this charter providing for the acquisition of public utilities, so far as the same are applicable, shall apply to the manner of submitting such proposition to the electors, to the limitations of the said bonded indebtedness, to the issuance and character of the same, and to the time when and the kind of money in which said bonded indebtedness shall be payable. The proceeds of the sale of such bonds shall be paid into the treasury to the credit of such fund for which said bonds were issued.

ARTICLE IX.

EDUCATIONAL DEPARTMENT.

SEC. 130 The government of the public schools of the city shall be vested in a Board of Education, to consist of eight members, to be called School Directors, and who shall receive no compensation. School Directors shall be elected at the same time and in the same manner as members of the Board of Trustees of the city. Their terms of office shall be four years, and until their successors are elected and qualified. Any person, male or female, who is a citizen of the United States, and of this State, and a resident of the territory now constituting the City of Fresno, for three years next preceding the election, shall be eligible to the office of School Director.

SEC. 131. The Board of Education shall meet on the first Monday after the election of its members shall have been officially declared, and organize by electing one of their number president, whose term of office as president shall be four years.

SEC. 132. The board shall also elect a secretary, who shall not be a member of the board, at a salary not to exceed twenty-five dollars per month, and who shall hold office at the pleasure of the board

SEC. 133. The board shall hold regular meetings at least once in each month, and at such times as shall be determined by its rules Special meetings may be called at any time by the president, and three of the members, or by the superintendent. Five members of the board shall constitute a quorum for the transaction of business, and the affirmative vote of five members shall be necessary to pass any measure, but a smaller number may adjourn from time to time. The board may determine the rules of its proceedings, and the ayes and noes shall be taken when demanded by any member, and entered on the records of the board. Its records shall be open to public inspection. The Mayor shall fill all vacancies occurring in the board, until the next regular municipal election. All meetings of the board shall be public. All elections held by it shall be viva voce.

In addition to the powers conferred and duties prescribed by the general laws of the State, the Board of Education shall have power:

First—To establish and maintain public schools, which shall include high, grammar, primary and kindergarten departments, to change or consolidate the same, to manage and control the school property; to establish school districts, and to fix and alter the boundaries thereof.

Second—To employ, pay and dismiss teachers, janitors, 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. There shall be an annual election for teachers at such times as the board may determine; *provided*, that in the absence of a special contract in writing, which contract shall not be for a period exceeding one year, no election or appointment of any teacher, janitor or other employé shall constitute a contract, either as to the duration of the office or as to the amount of salary or compensation to be paid, but the board shall always have the power to dismiss any or all teachers, janitors or other employés, and to alter the amount of salary or compensation

Third—To make, establish and enforce all necessary and proper rules and regulations for the government and progress of the public schools, and for the investigation of charges against any person in the employ of the department, and for carrying into effect the laws relating to education; also to establish and regulate the grade of schools, and determine what text books—in addition to those published by the state—course of study, and mode of instruction shall be used in said schools; but any text-book determined upon by the board shall not be changed within a period of four years after its adoption.

Fourth—To provide for the school department fuel and lights, water, printing, stationery, and all other necessary supplies, and incur such other incidental expenses as may be necessary for the welfare of the department, including the grading, fencing and improving of all school property.

Fifth—To build, alter, repair, rent, and provide school houses, and to furnish them with proper school furniture, apparatus and appliances, and insure the same

Sixth—To purchase or sell school lots, and to take charge of any and all real estate and personal property that may have been acquired, or may hereafter be acquired, for the use and benefit of the common schools of the city; and to make, in the name of the city, conveyances of property belonging to the city and sold by the board of education; *provided*, that the proceeds of any such sale of real estate shall be exclusively applied to the purchase of other lots, or the erection of school houses for the use of this department.

Seventh—To appoint school census marshals, on or before the first day of April of each year, whose duties shall be as prescribed by general law.

Eighth—To sue, in the name of the city, for any and all property acquired or claimed for the use and benefit of the school department, and to prosecute and defend all actions at law or in equity, necessary to recover and maintain the full enjoyment and possession of said property, and to require the services of the city attorney in all such matters

Ninth—To examine every demand payable out of the school fund, and for good cause to reject any such demand, or to allow the same in whole or in part, and to issue subpœnas and compel the attendance of witnesses before the board, or any committee thereof in any matter under investigation; and any witness so subpœnaed may be punished for non-attendance, or refusal to be sworn and answer, by the Superior Court of the county.

Every claim payable out of the school fund shall be filed with the secretary of the Board of Education, and after it shall have been approved by the board, a certificate of such approval shall be endorsed thereon, signed by the president and secretary, and a warrant upon the school fund shall be issued thereon for the payment of such claim, which warrant shall be signed by the president of the board and countersigned by the secretary, and shall specify for what purpose the same is drawn.

Tenth—To discharge all legal incumbrances now existing, or which may hereafter exist, upon any school property, and establish regulations for the just disbursement of all moneys belonging to the school fund, and admit in their discretion, non-resident children, and persons over twenty-one years of age, to any of the departments of the schools of the city, upon the payment, monthly in advance, of such tuition fee as such

board may establish; *provided*, such fee shall not be less than the per capita cost of pupils in the respective grades.

Eleventh—To prohibit any child under six years of age from attending the public schools—*provided*, in kindergarten classes children of four years of age may be admitted—and to suspend or expel pupils for misconduct.

Twelfth—To dispose of and sell at public auction, upon not less than five days' notice by publication in a daily newspaper published in said city, such personal property as shall no longer be required by the department. All moneys realized from such sales shall be paid into the treasury to the credit of the school fund

Thirteenth—To receive and manage property or money acquired by devise, bequest or donation in trust for the benefit of any school, educational purpose or school property

Fourteenth—To exclude from the schools and school libraries all books, publications or papers of sectarian, partisan or denominational character.

Fifteenth—To furnish books for the children of parents unable to furnish them. The books so furnished shall belong to the city, and shall be returned to the superintendent at the close of each term.

Sixteenth—To make an annual report on or before the first day of July in each year to the County Superintendent of Schools, in the manner and form and on the blanks prescribed by the State Superintendent of Public Instruction.

Seventeenth—To make a report, whenever required, directly to the State Superintendent of Public Instruction, of the text-books used in the city schools

Eighteenth—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.

Nineteenth—It shall be the duty of the board to prescribe a course of study that will fit and prepare the students therein to enter any of the departments of the University of the State of California. Such course shall be known as the high school course.

Twentieth—The board may provide departments for the training of pupils in the industrial and mechanical arts and domestic and commercial vocations, and shall have power to furnish such departments with necessary tools, apparatus and appliances.

Twenty-first—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 common schools of the city.

SEC. 134 The Board of Education shall annually, on or before the first Monday in August, make and report to the Board of Trustees a statement in detail of the receipts and expenditures for school purposes in the city during the year then last past, and shall at the same time make and furnish a detailed statement of the probable amount of money that will be required during the current year, and the purposes for which it is required, and also an estimate of the amount that will be received by the city from the state and county for school purposes. Upon receiving the estimate of moneys needed as provided herein, the Board of Trustees shall, at the time of levying other city taxes, levy as a part thereof a school tax, which, after making proper allowances for delinquencies, will produce a sum that—taken with the estimated amount to be received from the state and county—will make the amount required by the Board of Education; *provided, however*, that the Board of Education shall not exact a levy to exceed twenty-five cents on the one hundred dollars, exclusive of levy for high school purposes and to pay bonded indebtedness

SEC. 135 In case of disaster from fire, riot, earthquake, or public enemy, the Board of Education may, with the approval of the Mayor and the Board of Trustees, incur extraordinary expenditures in excess of the annual limit provided by law and in this charter, for the repair, construction, and furnishing of school houses; and the Board of Trustees 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 expenditure.

Secretary.

SEC. 136. The secretary of the board shall keep a true record of the proceedings of the board, and a correct account of the expenditures allowed by it, and for what purpose so that he can at any time make an exhibit, in aggregate and detail, of the outlays for each school; he shall be general custodian of all books, papers and documents belonging to the board.

SEC. 137. He shall in June of each year make to the board a full and detailed report of the number of pupils taught respectively in the kindergarten, primary, grammar and high schools, and the cost per pupil, including all ordinary expenses; the amount paid respectively for teachers, rents, repairs, lands, buildings, fuel, furniture, stationery and sundries

Superintendent of Schools.

SEC 138. The Board of Education shall, within ninety days after the organization of the board, succeeding each municipal election, elect a City Superintendent of Schools, who shall be a man of good moral character, and a practical educator The term of office of the City Superintendent of Schools shall be during the pleasure of the board, except as otherwise herein provided He shall have a general supervision over school houses and school property, and see that they are not wasted, injured or destroyed; he shall grade the classes in the schools and classify the pupils as to the grade of the school they shall attend, and, in connection with the teacher, as to which class or classes in such schools, and shall issue all necessary permits for such attend-

ance; *provided, however*, that no pupil shall be allowed to attend any public school in the city until the superintendent shall be first satisfied that such child has been duly vaccinated; he shall from time to time recommend to the board such alterations, additions and changes in the grade of schools, course of study, text-books, and such other matters and things as he deems proper; he shall, in June of each year, make to the board a full and detailed report of the progress of the schools since the last annual report, their present condition, the condition of the houses, lots, and furniture, the number of pupils taught respectively in each, the kindergarten, primary, grammar and high schools. He may suspend or expel any pupil for misconduct or violation of the rules, reporting such suspension or expulsion to the board at its next meeting; *provided, however*, any party feeling aggrieved may appeal from the decision of the superintendent to the board, which may confirm or reverse his action; he shall have a general supervision and control of the teachers, and shall report to the board any misconduct, want of ability, negligence, or inattention on the part of any of them; and he may suspend any teacher for such want of ability, negligence, inattention or misconduct, and shall report such suspension to the board at the next meeting thereof for final action; he shall have power to assign the teachers to such classes as in his judgment shall be to the best interest of the schools; *provided*, that in the high and grammar schools such assignments shall be made with the consent and advice of the principals of such schools; *and provided*, that by a vote of six members the Board of Education may change any such assignment; he shall see that none but authorized text-books are used, and that teachers and pupils faithfully perform their respective duties; and he shall do and perform such other duties, matters and things as may be required of or imposed on him by the Board of Education.

SEC 139. The City Superintendent of Schools, and each member of the Board of Education, shall have power to administer oaths and affirmations in all matters connected with the department

SEC. 140. The Board of Education shall provide the City Superintendent of Common Schools with a suitable office, which shall be kept open to the public.

ARTICLE X.

HEALTH DEPARTMENT.

SEC. 160. There shall be a health department under the management of the Board of Health. Said board shall consist of five members, who shall be appointed by the Mayor, by and with the consent of the Board of Trustees. The board shall never be so constituted as to consist of more than two members of the same political party. The president of the Board of Health shall be selected from among their number, and shall act as such for one year. Each member shall be a duly licensed physician, in accordance with the laws of the State. They shall receive no compensation for their services, and their term of office shall be four years, and until their successors are appointed and qualified.

SEC. 161. Regular meetings of the Board of Health shall be held once a month, and special meetings when called by the president or any three members, and all meetings shall be public. Three members shall constitute a quorum for the transaction of any business.

SEC. 162. Said Board of Health shall have supervision of all matters appertaining to the sanitary condition of the city and public institutions thereof, and full powers are hereby given to said board over all questions of foul or defective drainage, and of the disinfection and sanitary cleaning of streets, alleys, cellars, cesspools, sewers or nuisances of any description, and of low places within the city limits calculated to receive and retain unhealthy deposits.

SEC 163. The Board of Health shall exercise a general supervision over and be the custodian of all the death and cemetery records now belonging to the city, and they shall cause to be kept in books prepared for the purpose, complete records of all deaths, interments in the city cemeteries, and births occurring in said city. They shall adopt such forms and regulations for the use of physicians, undertakers, and superintendents of cemeteries as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city, and prevent the spread of contagious and infectious diseases They shall have power to prevent or forbid communication with infected families or houses, and by the consent of the Mayor may establish a pest-house and provide the necessary attendants and supplies therefor.

SEC. 164. The Board of Trustees shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt; and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and of this charter shall be provided for by the Board of Trustees, who are hereby authorized and directed to make an appropriation therefor out of the general fund

SEC. 165 The Board of Health, within two weeks from the time of its organization, shall elect a City Physician, who shall also act as health officer and secretary of the Board of Health. Said City Physician shall not be a member of the Board of Health, and shall be an elector of the city for at least five years and not less than thirty years of age, a licensed physician of not less than five years, and actually engaged in the practice of his profession therein. He shall hold his office during the pleasure of the Board of Health, and must see that the laws and ordinances of the city in relation to the public health, and the regulations and orders of the Board of Health are properly

enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records appertaining thereto, and issue all permits for burials, and no interments shall be made from the city unless said health officer is satisfied of the correctness and reliability of the certificates of death presented for his inspection. He shall have the powers of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary condition of the city as he may deem proper.

SEC. 166. The City Physician shall attend, when called upon, the indigent sick or wounded in the city, and shall have charge of any receiving hospital or dispensary established for the benefit of the sick poor.

SEC. 167. The City Physician, as health officer, shall visit, at least once in each quarter, all public buildings and school-houses in said city. During such visits he shall examine the manner in which they are lighted, ventilated, and heated, and particularly as to their sanitary condition.

SEC. 168. The City Physician, as health officer, shall promptly report in writing to the City Superintendent of Schools the name and residence of every person sick with cholera, smallpox, scarlatina, diphtheria, or any contagious disease. Said City Superintendent, when so notified, must refuse admittance to the schools of any members of a household one or more of whose inmates are sick from any of the aforesaid diseases. The person excluded shall be admitted on presenting a certificate from the health officer that there is no longer any danger from contagion.

SEC. 169. When a case of contagious disease is reported to the health officer, he shall visit the premises where the person is, and, when satisfied that said disease exists, he shall place a yellow flag on said premises, which shall remain during the continuance of the disease on said premises.

SEC. 170. The health officer may cause to be removed to a smallpox hospital any person in said city affected with smallpox. When a case of smallpox exists in any house, and the person so affected is not moved to said hospital or pest-house, the health officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof who shall see that a quarantine is strictly enforced so long as public safety requires.

SEC. 171. He shall act as food inspector, and as such his duties shall be to inspect meat, milk, butter, poultry, eggs and all other marketable produce, including green and dried groceries and vegetables, and all and every kind of food products, and shall have the power without liability, to condemn and destroy such and so much thereof as are unfit, unwholesome, deleterious or injurious as food, or fall below the standard established by the Board of Health.

SEC. 172. The health officer shall vaccinate free of charge all persons applying to him.

SEC. 173. He shall perform such other duties as may be prescribed by the Board of Health or by ordinance.

SEC. 174. Every member of the Board of Health, the health officer and health inspector may administer oaths on matters connected with the health department.

ARTICLE XI.

FRESNO FREE LIBRARY.

SEC. 180. The free library shall be under the control and management of five trustees, who shall be known as the "Board of Free Library Trustees." They shall be appointed by the Mayor, by and with the consent of the Board of Trustees. The office of Library Trustee shall be honorary, and the members thereof shall serve without salary or compensation; any person, male or female, over the age of twenty-one years, who is a citizen of the United States, and of this State, and a resident of the city for five years, shall be eligible to become a Library Trustee. The term of office of Library Trustees shall be four years, and until their successors are appointed and qualified.

SEC. 181. The Board of Trustees of the City of Fresno shall levy and collect, as in other cases, annually, a tax not less than three cents on the one hundred dollars and not more than five cents on the one hundred dollars, for the purpose of maintaining a free public library and reading-room, and purchasing such books, journals and other publications, and leasing such real and personal property as may be necessary therefor.

SEC. 182. All money and revenue paid, collected or received by authority of anything herein contained, whether by taxation, gift, devise, bequest, or otherwise, shall belong to and be known and designated as the "Library Fund," and shall be paid into the City Treasury, and there kept separate and apart from other funds, and be drawn therefrom as hereinafter provided, but only to be used and applied to the purposes herein authorized.

SEC. 183. All property, real and personal, acquired by gift, devise, bequest, or otherwise, shall vest, be and remain in the city, and may be protected, defended and sued for by action at law, or otherwise, in the name of the city, as in other cases.

SEC. 184. The Board of Free Library Trustees shall take charge of all property belonging to such library and reading-room, or that may be acquired by loan, purchase, gift, devise, or otherwise. The Trustees shall meet for business purposes on the first Tuesday of each month, and at such other times as they may appoint, at a place to be provided for the purpose, and a majority of all their number shall constitute a quorum for business. They shall elect one of their number to act as president of their board,

and one of their number to act as secretary, who shall keep a full statement and account of all property, money, receipts and expenditures, and a record and full minutes in writing of all their proceedings The secretary shall certify to such proceedings, or any part or portion thereof, under his hand, verified by an official seal adopted and provided by the Trustees for that purpose.

SEC. 185. Such Trustees, by a majority vote of all their members, to be recorded in the minutes with the ayes and noes at length, shall have power:

1. To make and enforce all rules, regulations, and by-laws necessary for the administration, government, and protection of such library and reading-room, and all property belonging thereto, or that may be loaned, devised, bequeathed, or donated to the same.

2. To exercise and administer any trust declared or created for such library or reading-room, and to provide memorial tablets and niches to perpetuate the memories of those persons who may make valuable donations thereto.

3. To define the powers and describe the duties of any and all officers, determine the number and employ all necessary subordinate officers and assistants, and at their pleasure and without previous notice remove any officer or assistant.

4. To purchase necessary books, journals, publications, and other personal property.

5. To order the drawing and payment upon properly authenticated vouchers, duly certified by the president and secretary, of money from out of the library fund for any liability or expenditure herein authorized; and generally to do all that may be necessary to fully carry into effect the provisions of this act.

6. To fix the salaries of the librarian and assistants, to furnish and equip said rooms and buildings as may be necessary for such library and reading-room.

SEC 186. The orders and demands of the Board of Free Library Trustees, when duly made and authenticated as above provided, shall be paid by the Treasurer of the city out of the library fund.

SEC. 187. The trustees of such library and reading-room, on or before the first Monday of January and July of each year, shall make a semi-annual report to the Board of City Trustees, giving the condition of their trust, with full statements 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 each 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. A financial report showing all receipts and disbursements of money shall also be made by the secretary of the Board of Trustees, duly verified

SEC. 188. The proper municipal authorities shall pass ordinances for the protection of the library and reading-room, and all property thereto belonging, and for imposing penalties for the punishment of persons committing injury to such library or reading-room, or the property or books thereof, or for failure to return any book or other property belonging thereto

ARTICLE XII.

ELECTIONS.

SEC. 200. The Mayor, members of the Board of Trustees and of the Board of Education, and the City Clerk, and Police Judge shall be elected by the qualified electors of said city, at a general municipal election to be held therein. The first election under this charter shall be held on the first Tuesday after the first Monday in June, 1901. The second election hereunder shall be held on the second Monday in April, 1905, and an election shall be held every four years thereafter.

SEC. 201 The Board of Trustees must meet at their usual place of meeting on the first Monday after the election; and if the returns from each precinct in which polls have been opened, have been received, the board must then and there proceed to canvass the returns But if all the returns have not been received the canvass must be postponed from day to day until all the returns are received.

SEC 202 Such canvass, declaration of result and certificates of election must be made and had in conformity with the laws of the State of California.

SEC 203 All elective officers shall take office on the first Monday after the result of the election shall have been officially declared and shall hold office for the period of four years and until the election and qualification of their successors, unless otherwise provided in this charter; except that the officers elected under this charter on the first Tuesday after the first Monday in June, 1901, shall only hold office until the first Monday after the official declaration of the result of the election to be held on the second Monday in April, 1905.

SEC. 204. Any vacancy occurring in any of the elective offices provided for in this charter, except as otherwise herein provided, shall be filled by appointment by the Mayor, by and with the consent of the Board of Trustees until the next regular election, at which time a successor shall be elected.

SEC. 205 All laws concerning state and county elections shall be and are hereby made applicable to municipal elections.

ARTICLE XIII.

OFFICIAL BONDS.

SEC 210. All officers of the city, whether elective or appointed, of whom a bond is required, must give a bond in some approved surety company; *provided*, that the

premium charged shall not exceed a rate of twenty cents on the one hundred dollars for each year; *provided*, that the premium on any single bond may not be less than five dollars, which premium shall be paid by the city.

SEC. 211. In case the premium should be in excess of said rate, then a bond may be given with personal sureties. All official bonds, except those of the members of the Board of Trustees, shall be approved or rejected by the Board of Trustees, by an order entered on the minutes.

SEC. 212. The official bonds of the members of the Board of Trustees shall be approved by the Mayor

SEC. 213. The Board of Trustees may, at any time, require an additional bond whenever any official bond may be deemed insufficient, and upon the failure on the part of any officer to furnish a satisfactory bond at the request of the Board of Trustees, his office shall be declared vacant, and as soon as such declaration is made, the office becomes vacant.

SEC. 214. The amounts in which the respective officers shall execute official bonds shall be as follows:

Trustees, each	$5,000 00
Clerk	10,000 00
Attorney	2,000 00
Superintendent of Streets	5,000 00
City Engineer	5,000 00
Mayor	5,000 00
Chief of Police	5,000 00
Chief of Fire Department	5,000 00
Police Judge	5,000 00

SEC. 215. The Board of Trustees shall have the power to require bonds from any other officer or employé of the city whenever deemed necessary.

SEC 216 The bond of the City Clerk shall be filed with the Mayor and all other bonds shall be filed with the City Clerk Official bonds with personal sureties must be recorded in the office of the County Recorder of Fresno County.

ARTICLE XIV.

SALARIES.

SEC. 220. Each member of the Board of Trustees shall receive a salary of one hundred and fifty dollars per annum, which amount shall include services as a member of the Board of Equalization, but there shall be deducted therefrom the sum of five dollars for each and every regular meeting of the Board which he shall fail to attend.

SEC. 221. The compensation of other officers and employés of the city shall be, per annum, as follows, said compensation being payable in equal monthly instalments:

Mayor	$500 00
Attorney	600 00
(And as herein provided.)	
Clerk	1,200 00

Police Judge, three hundred dollars, and such fees in civil actions and in prosecutions under the State laws as are allowed by law to Justices of the Peace.

Superintendent of Streets, twelve hundred dollars

Chief of Police, twelve hundred dollars, which shall also be in full compensation for services as License Collector, except as herein otherwise provided.

Chief of Fire Department, twelve hundred dollars, which shall also be in full compensation as Fire Marshal.

The compensation of all other employés and officers of the city not specified in this charter shall be fixed by the Board of Trustees.

SEC. 222. The Chief of Police, the Chief of the Fire Department and Superintendent of Streets shall devote their entire time and services to the duties of their respective offices.

SEC. 223. The duties of all officers, elected or appointed, in the City of Fresno, are such as are now or may hereafter be prescribed by general law or ordinances of the city

SEC 224 It is hereby declared to be the purpose of the people of the City of Fresno to do away with and abolish the offices of City Assessor, City Tax Collector, and City Treasurer, and to that end the Board of Trustees shall, on or before the first Monday in February, 1901, or as soon as this charter is approved by the Legislature, and annually thereafter while any valid law exists for the assessment, collection, custody, safe keeping and disbursing of city taxes by officers of a county, pass an ordinance electing that the City of Fresno avail itself 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 services so rendered to such municipal corporations," approved March 27, 1895.

And shall cause a certified copy of such ordinance to be forthwith served upon and filed with the Auditor, Assessor, Tax Collector, and Treasurer of Fresno County. If said Act shall be amended, or some other law be substituted in its stead, providing for

the assessment, collection, custody, safe keeping and disbursing of city taxes by county officers, the Board of Trustees shall conform to the provisions of such amended Act, or such law, in order that the city may avail itself of the privilege of having its taxes assessed, collected, safely kept and disbursed by such county officers.

SEC 225 If said law should be repealed by the Legislature or annulled by the courts, then the Board of Trustees are hereby authorized by ordinance to create the office of City Assessor, City Tax Collector and City Treasurer, and said offices shall be filled by appointment of the Mayor, by and with the consent of the board, as in other cases, until the next municipal election. And the Board of Trustees shall, by ordinance, prescribe their duties and fix their bonds and compensation

ARTICLE XV.

POLICE AND FIRE DEPARTMENTS.

SEC. 230. The Police and Fire Departments shall be under the control and management of a Board of Four Commissioners selected from the qualified electors of the city over the age of twenty-five years, to be appointed by the Mayor and confirmed by the Board of Trustees, and who shall hold office without compensation. Not more than two of such commissioners shall belong to the same political party, and whose term of office shall be for four years.

SEC. 231. The commissioners shall enter upon their duties as soon as they have qualified. The commission shall establish rules and regulations governing its proceeding and for the regulation and conduct of its officers and employés, and may require bonds from its subordinates for the faithful performance of their duties. The Mayor shall be president of the board, but shall have a vote only in case of a tie In the absence of the Mayor, the commission may select a president pro tempore from among its members. The City Clerk shall be the secretary of the commission.

SEC. 232 The commission shall hold regular meetings at least once a month, and special meetings at such other times as it may appoint or of which the president may give notice The regular meetings shall be held on a day and at an hour fixed by resolution entered upon the records of the commission, which shall not be changed except by a resolution passed at a regular meeting of said commission. The meetings of the commission shall be public; *provided, however*, that executive sessions may be held by a unanimous vote; three members shall constitute a quorum and the affirmative votes of three members shall be necessary to pass any order or resolution. No business shall be transacted at a special or adjourned meeting except such as may have been made a special order of business for such meeting or such as may have been under consideration at the meeting at which the adjournment was had

SEC 233. The secretary of the board shall keep a record of its transactions, specifying therein the names of the commissioners present at the meeting and giving the ayes and noes on all votes Every order or resolution shall be recorded at length, and the record shall be approved by the board The secretary shall cause the publication of all notices herein authorized to be published or which the board shall order to be published, and shall perform such other duties as the board may from time to time prescribe

SEC 234 The officers, members and employés of the police and fire departments shall be appointed by the board and no removal shall be made except for cause established to the satisfaction of the board after due investigation and trial. The salaries of officers and employés of the board, except so far as the same are designated in this charter, shall be fixed or altered from time to time by the Board of Trustees in its discretion or on recommendation of the Board of Commissioners

SEC 235 The Board of Police and Fire Commissioners shall have power:

1. To prescribe the qualifications, duties, badges of office and uniforms of officers, members and employés of said departments.

2 To prescribe rules and regulations for the government and discipline of the same, and prescribe and enforce penalties for their violation.

3. To hear and determine all complaints of misconduct, inefficiency, violation of the rules and regulations, 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 maintenance, discipline and efficiency of said departments.

4. To appoint and remove at their discretion special policemen, who shall be under the supervision and control of the Chief of Police, *provided, however*, that the compensation of said special policemen shall in no event be chargeable to the city, unless appointed by authority of the City Board of Trustees.

5. To make all necessary rules and regulations to carry into execution the foregoing powers and all other powers vested in said commission by this charter or by any ordinance of the Board of Trustees passed pursuant thereto or by the Constitution and laws of this State; and in general to manage and control said departments.

SEC. 236. The commissioners shall have the custody and control of the houses, engines, hose carts, trucks, ladders, horses stables and all other property and equipments now or that may be hereafter used by or belonging to said departments.

SEC. 237 The commission shall annually report to the Board of Trustees an estimate of the amount of money that will be required to pay all salaries and expenses of the police department and of the fire department for the ensuing year, specifying in detail the proper items for which the same will be required.

SEC 238. The commission shall make full quarterly reports to the Board of Trustees of its acts and expenditures and also of the condition of said departments.

SEC 239. Every claim against the police department or fire department contracted by the commission shall be verified by the claimant and approved by the commission in open session, which approval shall be entered in the records of the commission. No such claim shall be allowed or ordered paid by the Board of Trustees until the same has been approved by said commission, and has endorsed thereon such approval, authenticated by the signatures of the president and secretary of the commission

SEC 240 The commission shall determine and report to the Board of Trustees as to the necessity of constructing cisterns and erecting hydrants in particular localities, the necessity for additional houses, apparatus, material, supplies, engines, horses, hooks and ladders and also as to alterations and repairs required; but the action of the commission with respect to the necessity of these matters shall be only advisory to the Board of Trustees

SEC. 241. All contracts let and work ordered for the fire and police department shall be let and ordered by the Board of Trustees, *provided, however*, that the Police and Fire Commission shall have power to make repairs upon engines and other apparatus under their control when the necessity for such repairs is urgent and the cost thereof does not exceed the sum of one hundred and fifty dollars

SEC. 242. The police department shall consist of a Chief of Police and as many regular officers and policemen as the Board of Trustees may from time to time determine, not exceeding in the aggregate one to every one thousand inhabitants of the city.

SEC. 243. The fire department shall consist of a chief and as many drivers, engineers, hosemen and other paid employés as the Board of Trustees may authorize, together with such volunteer firemen as may be determined by the commission; *provided*, that prior to the election of a chief, a volunteer fire department while in existence, may nominate and present to the board the name of a nominee for chief, who, if acceptable to said board, shall be elected such chief, and if not elected, such volunteer fire department may nominate and present other names to said board for such chief

ARTICLE XVI.

GENERAL PROVISIONS.

SEC. 250. No appointive officer, whether under salary or not, and no deputy of any city officer or employé of the city receiving pay from the city—except firemen without pay—shall be eligible to hold any other public office while in the employment of or holding office under the city government, except notary public or member of the National Guard, nor shall he become a party worker or solicitor or active partisan, nor shall he during such time vote at any primary election nor become a member of any club, caucus or convention held for political purposes, nor shall he solicit for or contribute any funds to any person or organization to be used for political purposes For a violation of any of the provisions of this section, such position or office shall immediately become vacant, and the compensation of such person offending shall terminate, and he shall be deprived of the rights of holding any appointive office under the city government thereafter.

SEC 251. It is hereby made the express duty of the Mayor to see that all the provisions of this article are strictly enforced

SEC. 252. The word "city" wherever it occurs in this charter, means the City of Fresno; and every commission, commissioner, department, board or officer, wherever mentioned in this charter, means a commission, commissioner, department, board or officer, as the case may be, of the City of Fresno

SEC. 253. No officer of the city shall absent himself from the State; but he may absent himself for a period of not more than sixty days upon the written permission of the Mayor so to do Violation of this section shall be sufficient cause for the removal of any officer violating the same

SEC. 254. Any person holding a salaried office under the city, whether by election or appointment, who shall, during his term of office, hold or retain any other salaried office under the government of the United States, or of this State or county, other than notary public, or member of the National Guard, or who shall hold any other salaried office connected with the government of the 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.

SEC. 255. No officer or employé of the city shall be or become, directly or indirectly, interested in, or in the performance of, any contract, work or business, or in the sale of any article, the expense, price or consideration of which is payable from the treasury; or in the purchase or lease of any real estate or other property belonging to, or taken by the city, or which shall be sold for taxes or assessment, or by virtue of legal process at the suit of the city If any person in this section designated shall, during the time for which he was elected or appointed, acquire an interest in any contract with, or work done for, the city, or any department or officer thereof, or in any franchise, right or privilege granted by the city, unless the same shall be devolved upon him by law, he shall forfeit his office, and be forever debarred and disqualified from being elected, appointed or employed in the service of the city; and all such contracts shall be void, and shall not be enforceable against the city.

SEC. 256. No officer or employé of the city shall give or promise to give to any other person, any portion of his compensation or any money, or valuable thing, in consider-

ation of having been, or of being, nominated, appointed, voted for, or elected, to any office or employment; and if any such promise or gift be made, the person making or accepting such gift or promise shall forfeit his office and employment, and be forever debarred and disqualified from being elected, appointed or employed in the service of the city.

SEC. 257. Any officer of the city who 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 from any candidate or applicant for any position as employé or subordinate under him, shall forfeit his office, and be forever debarred and disqualified from holding any position in the service of the city.

SEC. 258. 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 259. All books and records of every office and department shall be open to the inspection of any citizen at any time during business hours. Certified copies of extracts from said books and records shall be given by the officer having the same in custody to any person demanding the same, and paying or tendering ten cents a folio of one hundred words for such copies or extracts; but the records of the police department shall not be subject to such inspection, except permission be given by the Police Commissioners or by the Chief of Police.

SEC 260. No person shall be eligible to or hold any office, or be clerk or deputy in any office or department, who has been found guilty of malfeasance in office, bribery, or other infamous crime, or who, in any capacity, has embezzled public funds.

SEC. 261 The fiscal year mentioned in this charter shall commence on the first day of July and end on the thirtieth day of June following.

SEC. 262. Any elected officer, except City Trustee, may be suspended by the Mayor and removed by the Board of Trustees for cause; and any appointed officer may be removed by the Mayor for cause. The Mayor shall appoint some person to discharge the duties of the office during the period of such suspension.

SEC. 263. When the Mayor shall remove an appointed officer from office, he shall immediately notify the Board of Trustees of such removal, and furnish it a statement of the cause therefor, which statement shall be entered in the record of its proceedings.

SEC. 264 All franchises and privileges heretofore granted by the city which are not in actual use or enjoyment, or which the grantees thereof have not in good faith commenced to exercise, are hereby declared forfeited and of no validity unless said grantees or their assigns shall within one month after this charter takes effect, in good faith commence the exercise and enjoyment of such privilege or franchise.

SEC. 265. No Chinese shall ever be employed, either directly or indirectly, on any work of the city or in the performance of any contract or sub-contract of the city, except in punishment for crime.

SEC. 266. Whenever special meetings are called of the Board of Trustees, Board of Education, or any other board of the municipality, notice thereof shall be served on each member personally or by mail addressed to his place of residence; if by mail, the notice, postpaid, shall be deposited in the postoffice of the city at least twenty-four hours before the time of meeting. At such special meeting no subject shall be considered except that specified in the notice

SEC 267. No person shall be eligible to hold office in this city, whether elective or appointive, unless he be an elector therein, and shall have resided within its present limits for at least five years next preceding the date of such election or appointment, except superintendent, principals and teachers of the public schools, engineers, and as herein otherwise provided.

SEC. 268. It shall be the official duty of every officer and person in the employ or service of the city, when it shall come 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 the removal of such officer or employé, as in case of malfeasance in office.

SEC 269. All claims against the city must contain a statement that every item in such claim has accrued within one year immediately preceding the filing of such claim, and no claim shall be valid against the city unless presented within one year from the date the article, labor, commodity, or services were furnished or contract performed; *provided, however*, that nothing herein contained shall deprive any person of the right to bring suit against the city upon any claim held against it, which has been rejected or refused payment by the Board of Trustees, if such claim was properly filed with the City Clerk within the time above specified.

SEC. 270. No privy, vault or cesspool shall be permitted upon any premises adjoining a lateral sewer

SEC. 271. In all prosecutions for violation of any of the provisions of this charter, or for violation of any city ordinance, rule, resolution, or other regulation of the Board of Trustees, whether in the court of original jurisdiction or in any appellate court, it shall not be necessary to plead the contents of the same, but the court before which the proceedings may be pending shall take judicial notice of this charter, and of such ordinance, rule, resolution, or other regulation, and of the contents thereof; and in all civil actions to which the city, or any officer of the city, is party, either plaintiff or defend-

ant, the adoption and contents of any ordinance, rule resolution, or other regulation of the Board of Trustees, may be proven prima facie by the introduction of the original entry thereof on the records of the board, a copy thereof certified by the City Clerk to be a full, true and correct copy of such original entry, or by the introduction of a printed copy published, or purporting to have been published, by authority of the city.

SEC 272 Every officer provided for in this charter shall, before entering upon the duties of his office, take, subscribe, and file with the City Clerk the following oath. "I do solemnly swear (or affirm) 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 —— to the best of my ability"

SEC. 273. The Board of Trustees of the present City of Fresno shall provide for the holding of the first election of officers under this charter, and shall canvass the votes and declare the result.

SEC. 274. All acts of the Legislature relating to the city, and all city 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 takes effect, shall not thereby be lost, impaired or discharged; and all actions and proceedings commenced in any court wherein the city is a party, shall be continued under the law existing when said action or proceeding was commenced

SEC. 275. Except as otherwise in this charter provided, all officers of the city shall keep their respective offices open for the transaction of business from the hours of eight in the forenoon until five in the afternoon of each day, Sundays and legal holidays excepted.

SEC. 276. No appointment made by the Mayor or by any officer, board or commission shall be based on political or partisan grounds; and all appointments shall, as far as practicable, be equally distributed among persons belonging to different political parties.

SEC 277. Whenever there shall be presented to the Board of Trustees a petition signed by a number of voters, residents of said city, equal to fifteen per cent of the votes cast at the last preceding state, city or county election, asking that an ordinance to be set forth in such petition, be submitted to a vote of the electors of the city, the Board of Trustees must submit such proposed ordinance to the vote of the electors at the next national, state, county or municipal election.

SEC 278. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number One of the signers of each such paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

SEC. 279 The tickets used in such election shall contain the words "For the ordinance" (stating the nature of the proposed ordinance) and "Against the ordinance" (stating the nature of the proposed ordinance)

SEC. 280 If a majority of the votes cast upon such ordinance shall be in favor of the adoption thereof, the board of trustees shall within thirty days from the time of such election, proclaim such fact; and upon such proclamation such ordinance shall have the same force and effect as an ordinance passed by the Trustees and approved by the Mayor, and the same shall not be repealed by the Trustees. But the Trustees may submit a proposition for the repeal of such ordinance, or for amendments thereto, for vote at any succeeding election; and should such proposition, so submitted, receive a majority of the votes cast thereon at such election, such ordinance shall be repealed or amended accordingly.

SCHEDULE.

This charter shall be published for twenty days in the Fresno Morning Republican and the Fresno Evening Democrat and Keystone, daily newspapers of general circulation in the City of Fresno, and after such publication, viz: on Thursday, the 19th day of October, in the year one thousand eight hundred and ninety-nine, it shall be submitted to the qualified electors of said city, at a special election to be held on that day, for the sole purpose of voting upon the adoption of the same; and if a majority of the qualified electors of said city, voting at said election, shall ratify the same, it shall be submitted to the Legislature of the State of California for its approval or rejection. The Board of Trustees of the present City of Fresno shall provide for the holding of the first election of officers under this charter, and give in 1901 the notice in Section 224 specified, as in the same provided, and according to law, and shall canvass the votes and declare the result For the sole purpose of the election of the officers directed by this charter to be elected by the people, and for taxation purposes as specified in Section 224 of this charter, this charter shall take effect immediately after its approval by the Legislature; and such election shall be managed and conducted in accordance with the general election laws of the State. For all other purposes this charter shall take effect on the first Monday after the first day of July, 1901. If the Legislature approve this charter, it shall thereupon become the charter and organic law of the City of Fresno, and shall supersede the existing charter of said city and all amendments thereof and all laws inconsistent with this charter.

The form of ballots at said election shall be as follows:

For the new charter—Yes.

For the new charter—No.

BE IT KNOWN, That the City of Fresno, containing a population of more than ten thousand inhabitants, on the 10th day of April, 1899, and under and in accordance with the provisions of Section 8, of Article XI, of the Constitution of this State, did elect the undersigned a board of fifteen freeholders, to prepare and propose a charter for said city; and we, the members of said board, in pursuance of such provisions of the Constitution, and within a period of ninety days after such election, have prepared and do propose the foregoing, signed in duplicate, as and for the charter for said City of Fresno.

IN WITNESS WHEREOF, we have hereunto set our hands in duplicate, this 30th day of June, 1899.

M. K. HARRIS.
T. G. HART.
FRANK H. SHORT.
C. S. PIERCE.
ED. SCHWARZ.
W. PARKER LYON.
E. W. RISLEY.
ALEX GOLDSTEIN.
LOUIS GUNDELFINGER.
HERMAN LEVY.
E. F BERNHARD.
JAMES GALLAGHER.
MARK WEBSTER.

STATE OF CALIFORNIA, City of Fresno, County of Fresno. } ss.

I, the undersigned, J. B. Johnson, the duly elected, qualified and acting City Clerk of the City of Fresno, County of Fresno, State of California, do hereby certify that at all times mentioned herein the said City of Fresno was and now is a city of more than ten thousand population.

I do further certify that heretofore, to wit: on the 10th day of April, A. D. 1899, the said City of Fresno did cause a board of fifteen freeholders to be elected at its regular city election, by the qualified voters of said city, and for the purpose of framing a charter for the government of said city. That the names of said freeholders were as follows, to wit: M. K. Harris, T. G. Hart, Frank H. Short, C. S. Pierce, Ed. Schwarz, W. Parker Lyon, E W Risley, Alex Goldstein, Louis Gundelfinger, Herman Levy, E. F. Bernhard, Mark Webster, James Gallagher, T. C. White, M R. Madary.

That said freeholders and each of them at the time of their said election and for the five years continuously previous thereto were qualified electors of said city

That within ninety days after the date of their said election, to wit: on the 30th day of June, A. D. 1899, said freeholders did prepare and propose a charter for said city, which said charter was by said freeholders, and all of them, except M. R. Madary and T. C. White, signed in duplicate, and said charter was thereupon returned, one copy to C. J. Craycroft, the chairman of the Board of Trustees of said city and the chief executive officer thereof, and the other to the Recorder of the said County of Fresno, to wit: to J. M Kerr. That thereupon and thereafter, and within twenty days after the completion of said proposed charter, to wit: the first publication commenced on the 11th day of July, A. D. 1899, said charter was published for a period of twenty days and more in the "Fresno Morning Republican" and in "The Fresno Evening Democrat," two daily newspapers at all times herein mentioned having a general circulation in said city; and the last publication thereof was on the 4th day of August, A. D. 1899. That thereafter and within not less than thirty days after such publication, to wit: on the 19th day of October, 1899, at a special election held for the purpose of voting on said charter, said charter was submitted to the qualified electors of said city, and thereupon a majority of the said qualified electors voting at the said election ratified said charter, to wit: there were at said election a total of 951 qualified electors voted, and out of said total there voted in favor of said charter 844.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 5th day of January, A. D. 1901.

[SEAL]

J. B. JOHNSON,
City Clerk of the City of Fresno, County of Fresno, State of California.

Now, therefore, be it resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for and concurring herein), That said charter be and the same is hereby approved as a whole for and as the charter of the City of Fresno.

Resolution read.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Dunlap, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, John, Kelley, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—62.

NOES—None.

RESOLUTIONS.

By Mr. Hanen:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to purchase one set of the latest pocket edition of the Codes of the State of California and the supplement thereto, for the use of the Clerk to the Minority, 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.

Resolution adopted.

By Mr. Melick:

Resolved, That when it becomes necessary for intelligent legislation that sub-committees of any committees should visit State institutions, that such members of the sub-committees shall not be paid mileage, but shall be reimbursed for actual necessary expenses incurred on such trip.

Mr. Brown of San Mateo moved to lay the resolution on the table.

The ayes and noes were demanded by Messrs. Bliss, Knowland, and Melick.

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

AYES—Messrs. Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chiles, Cromwell, Fisk, Franklin, Greer, Guilfoyle, Haley, Henry, Hubbard, Irish, Irving, John, Knight, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Radcliff, Ray, Reeber, Schillig, Schlesinger, Simpson, Treadwell, Webber, Williams, and Wright—41.

NOES—Messrs Bliss, Carter, Chandler, Clarke, Duryea, Feliz, Foster, Gans, Hanen, Hasson, Higby, James, Kincaid, Knowland, Mattos, Melick, Ralston, Roberts, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, and Walker—23.

THIRD-READING FILE.

ASSEMBLY JOINT RESOLUTION NO. 4.

Resolution as to making upon the Island of Molokai a leper hospital for the care of all lepers in the United States.

WHEREAS, There has been lately annexed to the United States a large island known as Molokai, one of the Hawaiian Islands; and

WHEREAS, There are within this State many unfortunates cursed with the dreadful disease of leprosy; and

WHEREAS, It is absolutely necessary that those so afflicted should be isolated in order that the health of the masses be not contaminated; and

WHEREAS, The expense to our State and to the municipalities therein in maintaining separate hospitals and pest-houses therein is very great and entirely unsatisfactory, and

WHEREAS, Upon the said Island of Molokai there is a leper hospital, devoted entirely to the care and cure of lepers, and which island, on account of its locality and conditions, is peculiarly adapted for such purposes; therefore, be it

Resolved by the Senate and Assembly, jointly, That we hereby recognize the great necessity of having all those afflicted with leprosy confined within and upon the said Island of Molokai, both because of its isolated condition and equable climate, and also because it will be a great financial saving to our State and to the municipalities therein; and be it

Resolved, That we call upon our Representatives in Congress to use every honorable effort to have every leper found within the State, or hereafter to be found herein, sent to the said Island of Molokai for care and treatment; and be it

Resolved, That our Senators and Representatives in Congress be and they are hereby requested to use every honorable effort to have passed and enacted into a statute the bill introduced by Honorable Julius Kahn for such purpose; further

Resolved, That the Governor be requested to transmit these resolutions to our Senators and Representatives in Congress.

Resolution read.

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

AYES—Messrs Anderson of Santa Clara, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Chiles, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Hubbard, Irish, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of

San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—48.
NOES—None.

Assembly Bill No. 202—An Act to amend Section 487 of the Penal Code.

Assembly Bill No. 202 withdrawn at request of author.

MOTION.

At twelve o'clock and twenty-nine minutes P. M., Mr. Melick moved to extend the time of recess ten minutes.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Read second time.

The following committee amendments were submitted:

COMMITTEE AMENDMENT No. 1.

Amend by inserting after the word "dollars," in line one hundred and twenty-two of the printed bill, the following, viz: "All moneys, benefits, privileges, or immunities accruing or in any manner growing out of any life insurance, if the annual premiums paid do not exceed five hundred dollars, and if they exceed that sum a like exemption shall exist which shall bear the same proportion to the moneys, benefits, privileges, and immunities so accruing or growing out of such insurance that said five hundred dollars bears to the whole annual premiums paid."

Amendment adopted.

COMMITTEE AMENDMENT No 2.

Amend by striking out the figures "19," in line one hundred and twenty-three of the printed bill, and insert in lieu thereof the figures "20."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend by adding the words "including one safe and one typewriter" after the word "furniture," in line thirty-five of the printed bill.

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

Amend by striking out the word "twenty," in ine sixty-eight of the printed bill, and inserting in lieu thereof the word "seventy."

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

Amend by inserting after the word "provisions," in line twelve of the printed bill, the words "and fuel."

Amendment adopted.

Mr. Treadwell moved to amend as follows:

Amend by inserting in line four, after the word "execution," the words "in favor of natural persons only."

Amendment lost.

Mr. Stewart of Amador moved to amend as follows:

Amend by striking out the words "also one piano," on line sixteen.

Amendment lost.

Mr. Feliz moved to amend as follows:

Amend by inserting after the word "or," in line twenty of printed bill, the words "buggy and two wagons," and by striking out the word "wagon" in line twenty of page two of printed bill.

Amendment adopted.

Assembly Bill No. 146 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At twelve o'clock and thirty-nine minutes P. M., Mr. Johnson arose and announced the death of the Queen of Great Britain and Empress of India, and moved that the Assembly adjourn out of respect to her memory.

The Assembly, by a rising vote, adjourned until nine o'clock and thirty minutes A. M. of Wednesday, January 23, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 23, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Merritt, Brown of San Francisco, and Sutro for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of January 21, 1901, was read and approved.

PERSONAL PRIVILEGE.

Mr. Savage addressed the Assembly on a question of personal privilege, *in re* an article appearing in "Los Angeles Times."

Mr. Carter also addressed the Assembly on a question of personal privilege.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founder's Company, as an assignee, for publishing the proposed constitutional amendments.

Also: Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

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

FISK, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 284—An Act for the regulation of the practice of medicine and surgery in the State of California, and the appointment of a Board of Medical Examiners in the matter of said regulation—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HASSON, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of Eugene F. Lacy vs. Chas. F. Franklin for a seat in the Assembly from the Twenty-eighth District, in the City and County of San Francisco, beg leave to report that we have had the same under consideration, and after an examination of the testimony, we find that Chas. R. Franklin received 1,071 votes, and that Eugene F. Lacy received 1,054 votes, being a plurality of 17 votes. We therefore find that Chas. R. Franklin is legally elected to the Assembly, and so report to the Assembly, and is entitled to retain his seat in the Assembly as a member thereof from the Twenty-eighth Assembly District, in the City and County of San Francisco, and recommend the following resolution for adoption:

Resolved, That Chas. R. Franklin is and he is hereby declared to be entitled to retain his seat, and to retain the office of Assemblyman from the Twenty-eighth District of the State of California.

GUILFOYLE, Chairman

Report adopted.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 5—Relative to United States geological surveys for irrigation purposes—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

And your said committee, to whom, also, was referred Assembly Joint Resolution No. 6—Relative to Government forest reserves—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

And your said committee, to which was referred, also, Assembly Joint Resolution No. 7—Relative to citrus fruit industry, and protest against ratification of Jamaica treaty—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman

ON AGRICULTURE

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals,

except for medicinal purposes, making the same a felony, and providing for the punishment therefor.

Also: Assembly Bill No. 196—An Act entitled "An Act to amend Sections 4 and 5 of an Act entitled 'An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs,'" approved March 13, 1866.

Also: Assembly Bill No. 254—An Act to promote the agricultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties, and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

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

C. R. STEWART, Chairman.

Mr. Anderson of Solano moved that Assembly Bill No. 206 be re-referred to Committee on Fruit and Vine Interests, and to retain its place on file.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Also: Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing and defacing marks and brands on domestic animals.

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. 276—An Act concerning stray animals found running at large in the County of Shasta—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to Committee on County and Township Governments.

C. R. STEWART, Chairman.

Assembly Bills Nos. 283 and 285 referred to Committee on Judiciary.

Assembly Bill No. 276 referred to Committee on County and Township Governments.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station, at Chico, California—have had the same under consideration, and respectfully report the same back, and recommend that it be reported back without recommendation

Also: Assembly Bill No 193—An Act making an appropriation to pay J. C. Nichols for money expended by him in conveying feeble-minded to State Institute for Feeble-Minded—have had the same under consideration, and respectfully report the same back, and recommend that it be reported back, as amended, without recommendation.

HENRY, Chairman.

Assembly Bills Nos. 104 and 193 referred to Committee on Ways and Means.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 50—An Act to change and permanently locate the boundary line between the counties of Plumas and Tehama—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be permitted to withdraw the same

Also: Assembly Bill No. 51—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be permitted to withdraw the same.

CROMWELL, Chairman.

Assembly Bill Nos. 50 and 51 withdrawn by authors.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 35—An Act entitled an Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Also: Assembly Bill No. 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging-camps.

Also: Assembly Bill No. 214—An Act limiting the hours of daily services of persons, either male or female, employed by any person, firm, or corporation engaged in the laundry business within the State of California, and providing for a penalty for the violation of the provisions of this Act.

Also: Assembly Bill No. 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California.

Also: Assembly Bill No. 266—An Act to amend Section 1970 of the Civil Code of the State of California, relating to obligations of employers.

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

Also: Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HOURIGAN, Chairman.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BRADY, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 29—An Act appropriating money for improvements and repairs of the laundry at the Preston School of Industry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry

Also: Assembly Bill No 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School, or Preston School of Industry, including the costs of Coroner's inquests held on the body of any person confined in such prisons or schools

Also: Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Also: Assembly Bill No 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and providing the penalty therefor.

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

IRISH, Chairman.

Assembly Bills Nos. 28, 259, and 268 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University cor-

porate powers and privileges—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman.

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: Your Committee on Revision and Reform of Laws, to whom was referred Assembly Bill No. 122—An Act to repeal Sections 3820, 3821, 3822, 3823, 3824, 3825, 3826, 3827, 3828, 3829, and 3831 of the Political Code, concerning the collection of taxes by the Assessor on certain personal property—respectfully report that it has had the same under consideration, and recommends that the bill accompanying this report, and entitled "An Act to amend Section 3828 of the Political Code," be introduced as a substitute therefor.

TREADWELL, Chairman.

MOTION.

Mr. Treadwell moved that Assembly Bill No. 122 be withdrawn, and that a substitute, to be numbered 427, take its place on file.

So ordered.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Revision and Reform of Laws: Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 167—An Act amending Section 1457 of the Penal Code of the State of California—have had the same under consideration, and respectfully report the same back, with four amendments, and recommend that the same do pass as amended.

Your committee further report that they have had under consideration Assembly Bill No. 99—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901"—and respectfully report the same back, with eight amendments, and recommend that the same do pass as amended.

Your committee also report that they have had under consideration Assembly Bill No. 98—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California by adding a section thereto, to be known as Section 349—and respectfully report the same back, with one amendment, and recommend that the same do pass as amended

Also: Senate Concurrent Resolution No. 4—Approving the charter of the City of Pasadena—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

SAVAGE, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874

Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499*a*—Relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State prison at San Quentin.

Assembly Bill No 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

GEO. H. ANDERSON, Acting Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the subdivision of the Governor's message entitled "California War Claims," printed on page 35 of the Assembly Journal for January 8, 1901—have had the same under considera-

tion, and respectfully report the same back, with the recommendation that the Assembly do approve and indorse the statements thereof.

And your committee does further respectfully report that it has instructed its chairman to have prepared, and to introduce in the Assembly, a proper resolution for the carrying out of the recommendations of His Excellency the Governor.

KNIGHT, Chairman.

Report adopted.

INTRODUCTION OF JOINT RESOLUTION.

By Mr. Knight: Assembly Joint Resolution No. 11—Relative to what are commonly known as and called the "California War Claims."

Read, and ordered printed and placed on file without reference to committee.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Milice: Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor and secure an option or purchase therefor, and submit sketch, plans, and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes.

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

By Mr. Kelley: Assembly Bill No. 429—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

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

By Mr. Myers: Assembly Bill No. 430—An Act to prohibit the test by purchasers of milk, cream, or other dairy products, of apparatus, use bottles, or other appliances showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

Read first time, and referred to Committee on Dairies and Dairy Products.

By Mr. Berry: Assembly Bill No. 431—An Act to amend Section 737 of the Political Code of the State of California, relating to salaries of Superior Judges.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 432—An Act to amend Section 1 of an Act entitled "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," approved March 18, 1897.

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

By Mr. Chandler: Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

Read first time, and referred to Committee on Education.

By Mr. Sheridan: Assembly Bill No. 434—An Act to amend Section 165 of the Penal Code, relating to crimes and penalties.

Read first time, and referred to Committee on Judiciary.

By Mr. Ralston: Assembly Bill No. 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893.

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

By Mr. McNeil: Assembly Bill No. 436—An Act to add a new section to the Political Code of the State of California, to be numbered 3805½, concerning the cancellation of certificates of sale under void assessments for taxes, or when a deed made to the State under a sale of lands to the State for the non-payment of taxes would be void, to cancel the same.

Read first time, and referred to Committee on Judiciary.

By Mr. Guilfoyle: Assembly Bill No. 437—An Act making an appropriation to pay the claim of William Cronan, for extra work performed in the construction of the Union Depot and Ferry House at San Francisco.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 438—An Act to create the office of State Dentist for the State insane asylums, to prescribe his duties, and provide for the payment thereof.

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

By Mr. Carter: Assembly Bill No. 439—An Act to amend Section 40 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to claims.

Read first time, and referred to Committee on Claims.

By Mr. Melick: Assembly Bill No. 440—An Act to amend Sections 25 and 52 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to powers of Supervisors of counties.

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

By Mr. Walker: Assembly Bill No. 441—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners, for the parole of and government of paroled prisoners," approved March 23, 1893.

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

By Mr. Hourigan: Assembly Bill No. 442—An Act relating to the keepers of intelligence offices, and making it a penalty for the violation of the provisions of this Act.

Read first time, and referred to Committee on Labor and Capital.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

MERRITT, Chairman.

Assembly Bill No. 124 referred to Committee on Ways and Means.

RESOLUTIONS.

By Mr. James:

Resolved, That the minority be authorized to make requisitions on the Secretary of State for stationery and supplies in an amount not to exceed $10. All requisitions to be signed by the chairman of the minority.

Resolution adopted.

By Mr. Henry:

Resolved, That the Sergeant-at-Arms be and is hereby requested to remove from the Capitol and its grounds one, to wit: John S. Wilkins, as he is a common nuisance; and be it further

Resolved, That he be forbid admission to the building and grounds for the balance of the thirty-fourth session.

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

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Claims respectfully report and introduce the accompanying bill, the subject-matter having been acted upon by the committee.

HENRY, Chairman.

INTRODUCTION OF BILLS—(RESUMED).

By Committee on Claims: Assembly Bill No. 443—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,828, entered of record October 10, 1893, in Judgment Book 43, page 670, Department Four, now held by the California Bank of Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

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

By Mr. Hubbard: Assembly Bill No 444—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 445—An Act to repeal an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891.

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

Also: Assembly Bill No. 446—An Act entitled "An Act to amend Section 2032 of the Code of Civil Procedure of the State of California," relating to the manner of taking depositions in this State.

Read first time, and referred to Committee on Judiciary.

By Mr. Hasson: Assembly Bill No. 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

Read first time, and referred to Committee on Claims.

SPECIAL FILE.

Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read second time.

Mr. Fisk 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. 56.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 56 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 56 ordered engrossed and to third reading.

Assemby Bill No. 45—An Act making an appropriation to pay the deficiency for pay of officers and clerks of the Assembly for the thirty-third session, fiftieth fiscal year.

Passed on file.

Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Cavagnaro, Carter, Chandler, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, Melick, Milice, Myers, Radcliff, Ray, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—59.

NOES—Messrs. Butler, Collins, Evatt, Greer, Guilfoyle, Hourigan, John, Laird, McLoughlin, McWade, Miller, Reeber, Schillig, and Schlesinger—14.

Title read and approved.

At eleven o'clock and fifteen minutes A. M., the Speaker called Mr. Schlesinger to the chair.

Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss' Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin,

McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—68.

NOES—None.

Title read and approved.

Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—62.

NOES—Mr. Feliz—1.

Title read and approved.

At eleven o'clock and fifty minutes A. M., Speaker Pendleton resumed the chair.

Assembly Bill No. 5—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 third time.

Mr. Fisk moved that a select committee of one be appointed to amend as follows:

Amend by inserting after the word "bicycle," line nine of subdivision three, the words, "of the value of $50."

Motion lost.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Cromwell, Dunlap, Duryea, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Savage, Schillig, Simpson, Stewart of San Diego, Treadwell, Webber, Wright, and Mr. Speaker—47.

NOES—Messrs. Brady, Butler, Cavagnaro, Collins, Cowan, Feliz, Fisk, Franklin, Henry, Hourigan, Laird, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Walker, and Williams—20.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Guilfoyle gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 5 was this day passed.

Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland,

Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker Webber, Williams, Wright, and Mr. Speaker—65.

NOES—None.

Title read and approved.

ADJOURNMENT.

At twelve o'clock and twelve minutes P. M., on motion of Mr. Milice, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Thursday, January 24, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 24, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Dunlap and Merritt for the day, and to Mr. Sutro for remainder of the week.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the

appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

FRANKLIN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 42—An Act providing for the listing and appraisement of property exempt from taxation, and reporting the same to the Legislature—report the same back, with seven amendments and recommend that it do pass as amended.

Also: Assembly Bill No. 54—An Act to amend an Act entitled "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"—and report the same back, with three amendments, and recommend that it do pass as amended.

JOHNSON, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 145—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 it do pass

Also: Assembly Bill No. 170—An Act to provide for the maintenance and support in certain cases of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons—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.

FISK, Chairman.

Assembly Bill No. 170 referred to Committee on County and Township Governments.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof—have had the same under consideration, and respectfully report the same back, and recommend that the same be amended, and do pass as amended.

WALKER, Acting Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for annual reasonable expenses, and what proportion is for annual receipts and profits—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 257—An Act making an appropriation to study the life history of beneficial and injurious insects in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McNEIL, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred that portion of the Governor's message entitled "Bubonic Plague Scare," on pages 17 to 19, inclusive, of the Assembly Journal for January 8, 1901—have had the same under consideration, and respectfully report the same back with the proposed concurrent resolution accompanying this report, and entitled thus. "Relative to tendering thanks to His

Excellency William McKinley, President of the United States; His Excellency John Hay, Secretary of State; His Excellency Henry T. Gage, Governor of California, and to our Senators and Representatives, for prompt action in regard to bubonic plague scare of 1900", and we do recommend that the said resolution be adopted.

KNIGHT, Chairman.

ASSEMBLY CONCURRENT RESOLUTION—(OUT OF ORDER).

By Mr. Knight:

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Relative to tendering thanks to His Excellency William McKinley, President of the United States; His Excellency John Hay, Secretary of State; His Excellency Henry T Gage, Governor of California, and to our Senators and Representatives for prompt action in regard to the bubonic plague scare of 1900.

WHEREAS, Early in the year A. D. 1900 it was incorrectly reported, either by mistake or through malice, that the dreadful bubonic plague existed in the Chinese quarter of the City of San Francisco, which report was spread broadcast over the world, and resulted in various quarantines, local and State, being established, and in great and irreparable injury to many of the interests of our people;

WHEREAS, His Excellency the Governor personally directed and participated in a prompt and thorough investigation of the condition relative to the alleged existence of the plague as so reported at the request of His Excellency John Hay, Secretary of State at Washington, which investigation established beyond doubt that said reported existence of the bubonic plague was without foundation in fact, and the result of which investigation was immediately reported to the Secretary of State at Washington, and by him laid before the President for consideration and advisement,

WHEREAS, Upon the establishment by one Dr. Kinyoun, Federal Quarantine Officer stationed at San Francisco, of a Federal quarantine against the entire State, our Governor also telegraphed a supplemental appeal direct to the President of the United States for release thereof; and our Senators and Representatives in Congress also promptly and efficiently appealed to the President for relief from said quarantine;

WHEREAS, His Excellency the President, and His Excellency the Secretary of State, at Washington, promptly caused the release of said Federal quarantine upon receipt of said report and appeals; and

WHEREAS, The said action of the President and of his Secretary of State, and of our Governor, Senators, and Representatives in Congress had the effect of almost entirely dispelling the impression which had gone abroad as to the existence of the plague within our State, and of ameliorating the deplorable condition into which the plague scare had thrown the business interests of the people, and of checking further loss of their goods and further shrinking in the values thereof; therefore, be it, and it is

Resolved by the Assembly of the State of California, the Senate concurring, That the grateful thanks of the entire people of this State are due and hereby tendered to His Excellency William McKinley, President of the United States; to His Excellency John Hay, Secretary of State at Washington, D. C.; to His Excellency Henry T. Gage, Governor of the State of California, and to each of our Senators and Representatives in Congress, for the respective parts taken by them in the matter in this resolution above mentioned; that Hon. Charles F. Curry, Secretary of State for the State of California, be and he is requested to properly engross and certify one copy hereof for, and to forward the same to, each of the persons herein mentioned and tendered the thanks of the people

Read, and ordered printed and placed on file without reference to committee.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 22, 1901.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Also: Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the fiftieth fiscal year.

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

Senate Bill No. 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

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

Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the fiftieth fiscal year.

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

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 117—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Also: Senate Bill No 39—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Also: Senate Bill No 45—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years.

Also: Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years.

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

Senate Bill No. 117—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

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

Senate Bill No. 39—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Read first time, and referred to Committee on Judiciary:

Senate Bill No. 45—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years.

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

Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years.

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

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 46—An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner, and to repeal certain former Acts relating to the subject-matter of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RALSTON, Chairman

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Sheridan: Assembly Constitutional Amendment No. 15—A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution, relative to private claims against the State.

Read, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 448—An Act to amend Sections 1240 and 1241 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and referred to Committee on Judiciary.

By Mr. Pendleton: Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens and regulating the provisions to be contained in building contracts.

Read first time, and referred to Committee on Judiciary.

By Mr. Barnes: Assembly Bill No. 450—An Act to amend Sections 1441 and 1453 of the Penal Code of the State of California. relative to the verdict of juries in justice's and police courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Fisk: Assembly Bill No. 451—An Act to amend Section 1183 of the Code of Civil Procedure of the State of California, relating to the liens of mechanics, laborers, and others upon real property.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Francisco: Assembly Bill No. 452—An Act to amend Sections 6, 7, and 18 of an Act entitled "An Act to create a State Board of Horticulture, and appropriate money for the expenses thereof," approved March 13, 1883; and an Act amendatory thereof, approved February 18, 1885; and an amendatory Act thereof, approved March 7, 1889, and fixing a penalty for the violation of certain provisions thereof.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Irving: Assembly Bill No. 453—An Act to protect the manufacturing industries of this State.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Mr. Knight: Assembly Bill No. 454—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 455—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

By Mr. Kelley: Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

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

Also: Assembly Bill No. 457—An Act to amend Section 3653 of the Political Code of the State of California.

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

By Mr. Butler: Assembly Bill No. 458—An Act to protect the manufacture of goods made and manufactured or partly made or manufactured in the State of California.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Mr. Melick: Assembly Bill No. 459—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

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

By Mr. Carter: Assembly Bill No. 460—An Act creating a Bureau of Building and Loan Supervision; providing for the appointment of a chief officer therefor, to be known as the Building and Loan Commissioner; prescribing his duties, powers, and compensation; providing for a deputy, his powers and compensation; providing for the rental of offices for the use of the Bureau and for the expense thereof, and for traveling and office expenses; providing a system for licensing building and loan associations, and for assessing and collecting the fees therefor to meet the salaries and other expenses; providing for a course of procedure for the Commissioner, Attorney-General, and courts in connection with such violations of law and unsafe practices as the Commissioner may find to exist; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions, and liens pending liquidation; providing for and requiring all associations to procure licenses, pay assessments levied for expenses, and to make and file reports; providing for penalties for violation of law and orders of the Commissioner by associations, the officers thereof and others; providing for succession in office, and repealing all Acts and parts of Acts in conflict herewith.

Read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 461—An Act to compel employers to furnish surgical and medical attendance for employés injured during working hours in mills, factories, shipyards, foundries, and other places where fixed machinery is used.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Schillig: Assembly Bill No. 462—An Act to amend "An Act to define the duties of and to license land surveyors," March 31, 1891.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelley: Assembly Bill No. 463—An Act making an appropriation to pay for printing, binding, and ruling and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year.

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

By Mr. Greer: Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Read first time, and referred to Committee on Judiciary.

By Mr. McWade: Assembly Bill No. 465—An Act to amend Section 3051 of the Civil Code of the State of California in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Johnson: Assembly Bill No. 466—An Act to repeal Section 1402 of the Civil Code of the State of California, relating to the succession of community property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 467—An Act to amend Section 1401 of the Civil Code of the State of California, relating to the succession of community property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 468—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 469—An Act to amend Section 167 of the Civil Code of the State of California, relating to the liability of community property for debts of either spouse.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 470—An Act to appropriate the sum of $1.856.78, to pay the claim of Howard M. Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 471—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

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

By Mr. Ray: Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

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

By Mr. Myers: Assembly Bill No. 473—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

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

MOTIONS.

Mr. Knight moved that Assembly Concurrent Resolution No. 6 be taken up for consideration.

Resolution read.

Mr. Knight moved its adoption.

Mr. Laird moved that further consideration of resolution be postponed until to-morrow, that it be printed in the Journal, and that it be made a special order immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No 331—An Act to amend Section 375 of an Act entitled "An

Act to establish a Penal Code"—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to the Committee on Judiciary.

HASSON, Chairman.

Assembly Bill No. 331 referred to Committee on Judiciary.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 190—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman.

REPORT OF SPECIAL COMMITTEE ON STENOGRAPHERS.

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1901.

MR. SPEAKER: Your special committee appointed for the purpose of examining into the work of the stenographers of the Assembly, do most respectfully report as follows:

We find that there are seven stenographers for the use of the members of the Assembly, and for all the committees, as follows: A. D Shaw, S. H. Garrett, Herman de Laguna, Miss L O'Neil, Ed. Gehring, J. H. Walkins, and Miss Houghton, and that all these persons are competent to perform the work of stenographers and typewriters

We further report that there is an insufficient number of stenographers to properly perform the work of the Assembly and its committees, owing to the fact that there is a vacancy in the number of stenographers by reason of the transfer of H. F Bridges to the position of Clerk to the Committee on Ways and Means—in consequence thereof the Judiciary Committee is now without a stenographer.

We therefore recommend that the Chairman of the Judiciary Committee be authorized to appoint one stenographer at a per diem of $5, and that said stenographer be assigned for duty to the Judiciary Committee of the Assembly.

WEBBER, Chairman
BROWN.
McLOUGHLIN.

RESOLUTIONS.

By Mr. Brown of San Mateo:

Resolved, That the Chairman of the Judiciary Committee be and he is hereby authorized to appoint one stenographer at a per diem of $5, and that said stenographer be assigned for duty to the Judiciary Committee of the Assembly.

Mr. Guilfoyle moved to refer report and resolution to Committee on Attachés and Employés.

Motion lost.

Report and resolution adopted.

By Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of thirteen hundred and seventeen and fifty one hundredths dollars ($1317 50) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for the attached bill, as per resolution of January 8, 1901, and adopted January 17, 1901

Referred to Committee on Ways and Means.

By Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and thirty-five and seventy-five one hundredths dollars ($435.75) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for attached bill, as per resolution of January 8, 1901.

Referred to Committee on Ways and Means.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Ralston to the chair.

SPECIAL FILE.

Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—66.

NOES—None.

Title read and approved.

MOTION TO RECONSIDER.

Mr. Melick moved to reconsider the vote whereby Assembly Bill No. 5 was on yesterday passed, pending notice of reconsideration made by Mr. Guilfoyle.

Mr. Anderson of Solano moved to lay the motion to reconsider on the table.

So ordered.

SPECIAL FILE—(RESUMED).

ASSEMBLY JOINT RESOLUTION No. 5.

Relative to United States geological surveys for irrigation purposes.

Resolved by the Assembly and Senate of the State of California, jointly, That our Senators in Congress be instructed and our Representatives requested to urge upon the Congress of the United States that an early appropriation of not less than two hundred and fifty thousand dollars be made for irrigation surveys, with plans and estimates for cost of reservoirs, canals, and irrigation works in the arid States by the United States Geological Survey, and not less than one hundred thousand dollars for irrigation investigations by the Department of Agriculture of the United States.

Resolution read.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, Johnson, Kelley, Kincaid, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—63.

NOES—None.

ASSEMBLY JOINT RESOLUTION No. 6

Relative to Government forest reserves

Resolved by the Assembly and Senate of the State of California, jointly, That our Senators be instructed and our Representatives in Congress be requested to urge the enactment of such Acts of Congress as will result in the immediate reservation of all Government forest lands within the State of California, and that the present law permitting the surrender of lands in such reservation and the taking of other public lands in lieu thereof be repealed, and that provision be made for the purchase or condemnation of all private lands held within the exterior boundaries of any reservation.

Resolution read and adopted.

ASSEMBLY JOINT RESOLUTION No. 7.

Relative to citrus fruit industry and protest against ratification of Jamaica treaty.

WHEREAS, The growing of citrus fruits is the leading industry of Southern California, supporting a population of 300,000 people; and

WHEREAS, There are over 3,000,000 orange and lemon trees in bearing, and the shipments of fruit last year amounted to 17,000 carloads, worth to the grower $6,000,000; and

WHEREAS, This industry has been built up by thirty years of great labor, patience, and expenditure on what was previously worthless arid land, at a cost of many hundreds of dollars per acre before any profit whatever was derived therefrom; and

WHEREAS, The cost of maintaining a grove (for water, cultivation, destruction of insect pests and fertilization) is great, and the freight on the fruit from California east is very much higher than by steamer from European ports or the West Indies; and

WHEREAS, The citrus fruit industry of California was threatened with disaster until the Dingley tariff bill was passed, which equalized the freight rate by increasing the duty on foreign fruit; and

WHEREAS, A reciprocity treaty with Jamaica, admitting oranges on more favorable terms, would again place our growers at a great and unreasonable disadvantage as compared with their foreign competitors, and

WHEREAS, The citrus products of Jamaica come directly into competition with our holiday trade the best of the year; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we respectfully and earnestly request your honorable body not to recommend the ratification of the proposed reciprocity treaty with Jamaica now pending before your committee

Resolved, That a copy of these resolutions be transmitted by mail to the Committee on Foreign Relations of the United States Senate, and to Senators George C. Perkins and Thomas R. Bard at Washington, D. C.

Resolution read and adopted.

SENATE CONCURRENT RESOLUTION No. 4.

Approving the charter of the City of Pasadena, a municipal corporation in the County of Los Angeles, 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 20th day of November, A. D. 1900.

WHEREAS, The City of Pasadena, a municipal corporation, in the County of Los Angeles, State of California, is now, and was at all the times herein referred to, a city containing a population of more than three thousand five hundred inhabitants; and

WHEREAS, At a special municipal election duly held in said city on the eleventh day of May, nineteen hundred, 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 August sixth, nineteen hundred, signed in duplicate by a majority of all the members of said board of fifteen freeholders to wit: fourteen members of said board, and was on the eighth day of August nineteen hundred, duly returned to and filed with the President of the Board of Trustees of the City of Pasadena, and one copy thereof returned to and filed with the County Recorder of said County of Los Angeles, and

WHEREAS, Such proposed charter was then published in two daily newspapers of general circulation in said City of Pasadena, to wit. "The Pasadena Evening Star," and "Pasadena Daily News" for more than twenty days, and the first publication thereof was made within twenty days after the completion of the said charter, and

WHEREAS, Said charter was within not less than thirty days after the completion of said publication submitted by the said Board of Trustees of the City of Pasadena to the qualified electors of the said city at a special election previously duly called and thereafter held therein on the twentieth day of November, A. D nineteen hundred, and

WHEREAS, At said election a majority of such qualified electors voting thereat did vote in favor of and duly ratified said charter so proposed, and

WHEREAS, Said Board of Trustees 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 8 of Article XI of the Constitution of said State; and

WHEREAS, The said charter so ratified is in the words and figures following, to wit.

CHARTER FOR THE CITY OF PASADENA.

ARTICLE 1

BOUNDARIES OF THE CITY AND OF THE WARDS, AND GENERAL POWERS.

SECTION 1. The municipal corporation now existing, known as the City of Pasadena, shall continue to be a body corporate and politic under the name of the City of Pasadena, and with the following boundaries, to wit:

Beginning at a stone monument in the west bank of the Arroyo Seco, said monument being fifty-three hundred and four and four-tenths ($5304\frac{4}{10}$) feet north 89° 51′ west from

the northwesterly corner of block marked "T" of the subdivision of lands belonging to J. H. Painter and B. F. Ball, as per map recorded in Book 4, page 549 of Miscellaneous Records of Los Angeles County, State of California; thence running south 89° 51′ east, fifty-three hundred and four and four-tenths (5304.4/10) feet to the said northwesterly corner of Block "T", thence running south 34° 06′ east along the westerly boundary line of the said subdivision of lands belonging to J. H. Painter and B. F. Ball to a point, said point being six hundred and sixty (660) feet south of the south line of Mountain Street as shown on the map of the said subdivision of lands of J. H. Painter and B. F Ball, as recorded in Book 4, page 549 of Miscellaneous Records of Los Angeles County, State of California, thence running easterly on a line parallel with the south line of said Mountain Street to a point, said point being six hundred and sixty (660) feet easterly from the east line of Lake Avenue as originally laid out as a fifty (50) foot street; thence running southerly and parallel with the said east line of Lake Avenue to a point in the south line of San Pasqual Street, said point being the northeast corner of lot numbered twelve (12) of Block "L," of the San Pasqual tract of Lake Vineyard Land and Water Association lands, as shown on map as recorded in Book 3, page 315 of Miscellaneous Records of Los Angeles County, State of California; thence running west along the north line of said lot numbered twelve (12) four hundred and fifty and six-tenths (450.6/10) feet to a point, said point being one hundred and ninety-three and four-tenths (193.4/10) feet east from the present southeast corner of Lake Avenue and San Pasqual Street; thence running southeasterly to a point in the south line of California Street, said point being distant four hundred and twenty-four and five-tenths (424.5/10) feet east of the southeast corner of Lake Avenue and California Street, and also being the northwest corner of lot numbered one (1) C. K. Meneely's subdivision as per map recorded in Book 30, page 21 of Miscellaneous Records of Los Angeles County, State of California; thence running south 17° 04′ east, thirteen hundred and sixty-one (1361) feet along the westerly line of said C K Meneely's subdivision and the easterly line of the Merrill and Leighton subdivision as per map recorded in Book 22, page 75 of Miscellaneous Records of Los Angeles County, State of California, and a prolongation thereof to a white oak tree two feet in diameter, thence running south 20° east, three hundred and eighteen (318) feet, more or less, to a point in the south boundary line of said San Pasqual tract of Lake Vineyard Land and Water Association lands, said point being three hundred and sixteen and eight-tenths (316.8/10) feet west of the southeast corner of lot numbered six (6) of block "R" of San Pasqual tract of Lake Vineyard Land and Water Association lands; thence running along the southerly and easterly boundary line of said San Pasqual tract of Lake Vineyard Land and Water Association lands as follows, to wit. West twenty-one hundred and sixty-seven and forty-four hundredths (2167.44/100) feet, south 10° 45′ west twenty-two hundred and six and thirty-eight hundredths (2206.38/100) feet, south 85° west twenty-five hundred and fifty four and eighty-six hundredths (2554.86/100) feet, north 52° 37′ west, eight hundred and eighty-five and seventy-two hundredths (885.72/100) feet to a point on the southeasterly boundary line of lot numbered twelve (12) of block "N" of said San Pasqual tract of Lake Vineyard Land and Water Association lands; thence running south 35° 45′ west along the easterly boundary line of said lot numbered twelve (12) and a prolongation of the said east boundary line ten hundred and twenty-eight and eight-tenths (1028.8/10) feet, more or less, to an intersection with the south line of Columbia Street extended east, as shown on a map of San Gabriel Orange Grove Association lands as recorded in Book 2, page 558 of Miscellaneous Records of said Los Angeles County; thence running west along the said south line of Columbia Street, its extension and a prolongation thereof to a point in the west bank of the Arroyo Seco said point being an intersection of a line which is a prolongation of the said south line of Columbia Street with the westerly line of lot numbered fifty-nine (59) of a plat of land in the Arroyo Seco (known as Arroyo Wood lots) as per map recorded in Book 3, page 282, of Miscellaneous Records of Los Angeles County; thence running northerly along the westerly boundary line of said plat of land in the Arroyo Seco to the northwesterly corner of lot numbered thirty-three (33) of said plat of land in the Arroyo Seco as per map recorded in Book 3, page 281, of Miscellaneous Records of Los Angeles County; thence running north 24° 12′ east, three hundred and twenty-four (324) feet to a stake; thence running north 42° 20′ east, two hundred and ninety-six and three-tenths (296.3/10) feet to a stake; thence running north 60° 35′ east five hundred and twelve (512) feet to a stake; thence running north 36° 40′ east, two hundred and six and six-tenths (206.6/10) feet to a stake, thence running north 24° 38′ east one hundred and eighty-six and eight-tenths (186.8/10) feet; thence running north 60° 38′ east, two hundred and forty and five-tenths (240.5/10) feet to a stake, thence running north 26° 14′ east, four hundred and thirty-six and six-tenths (436.6/10) feet to a stake, thence running north 67° 47′ west, three hundred and eighty one and one-tenth (381.1/10) feet to a stake; thence running north 36° 44′ west, one hundred and thirty-eight and four-tenths (138.4/10) feet to a stake; thence running north 2° 11′ west, one hundred and seventy-eight and one-tenth (178.1/10) feet to a stake; thence running north 21° 14′ east, six hundred and forty-one and seventy-five hundredths (641.75/100) feet to a stake; thence running north 4° 40′ west, three hundred and eighty-nine and three-tenths (389.3/10) feet to a stake, thence running north 30° 40′ west, two hundred and forty-three and four-tenths (243.4/10) feet to a stake, thence running north 11° 35′ west four hundred and eight (408) feet to a stake, thence running north 17° 15′ west, one hundred and six and four-tenths (106.4/10) feet to a stake, thence running north 41° 37′ west, two hundred and twenty-five and five-tenths (225.5/10) feet to a stake; thence running north 11° 19′ west two hundred and forty four and six-tenths (244.6/10) feet to a stake, thence running north 0° 48′

west, one hundred and sixty-six and seven tenths ($166\frac{7}{10}$) feet to a stake; thence running north 21° 41′ west, one hundred and seventeen and five-tenths ($117\frac{5}{10}$) feet to a stake; thence running north 59° 17′ west, four hundred and forty-two and two-tenths ($442\frac{2}{10}$) feet to a stake; thence running north 25° 44′ west, seven hundred and seventy-six and four-tenths ($776\frac{4}{10}$) feet to a stake; thence running north 15° 36′ west, eight hundred and fourteen and eight-tenths ($814\frac{8}{10}$) feet to a stake; thence running north 35° 46′ west, one hundred and ninety-six and six-tenths ($196\frac{6}{10}$) feet to a stake; thence running north 14° 37′ west, seven hundred and eighty-nine and five-tenths ($789\frac{5}{10}$) feet to a stone monument and place of beginning

SEC. 2. The city shall be divided into four wards, as follows, to wit:

The First Ward, which shall include all that portion of the city which lies north of the center line of Colorado Street, and east of the center line of Raymond Avenue.

The Second Ward, which shall include all that portion of the city which lies west of the center line of Raymond Avenue, and north of the center line of Colorado Street, and the said center line of Colorado Street produced westerly to the west city limits.

The Third Ward, which shall include all that portion of the city which lies south of the center line of Colorado Street, and east of the center line of Raymond Avenue, and the said center line of Raymond Avenue produced southerly to the south city limits

The Fourth Ward, which shall include all that portion of the city which lies south of the center line of Colorado Street, and the said center line of Colorado Street produced westerly to the west city limits, and west of the center line of Raymond Avenue, and the said center line of Raymond Avenue produced southerly to the south city limits

The City Council shall have power to change the boundaries of the said wards by ordinance adopted as other ordinances are required to be adopted under this charter; *provided*, that the said boundaries shall not be changed oftener than once in three years.

GENERAL POWERS

SEC. 3. The said city shall continue vested with all the property of every kind now belonging to it and shall have the power:

First—To have perpetual succession

Second—To have and use a corporate seal and alter it at pleasure.

Third—To sue and be sued in all courts and places and in all actions and proceedings whatever.

Fourth—To purchase, receive, have, take, hold, lease, use and enjoy property of every kind and description both within and without the limits of said city and control and dispose of the same for the common benefit

Fifth—To receive bequests, devises and donations of property of every kind either absolutely or in trust for charitable or other purposes and do all acts necessary to carry out the purpose of such bequests, devises and donations and to manage, control, sell or otherwise dispose of such property in accordance with the terms of such bequests, devises or donations

Sixth—To erect, construct and maintain public buildings, schools, kindergartens, libraries, hospitals, markets, baths, fountains, prisons, workhouses, morgues and crematories.

Seventh—To improve and maintain public parks, cemeteries and sewer farms, to regulate the same and to exclude cemeteries from the limits of the city or any portion thereof and to discontinue the same.

Eighth—To construct and maintain water works, pipes, pipe-lines, aqueducts and hydrants for supplying the city and its inhabitants with water, and for supplying water to such persons who live without the city limits but along or adjacent to any pipe, pipe-line or aqueduct used in supplying the city or its inhabitants with water.

Ninth—To construct and maintain gas and electric works for supplying the city and its inhabitants with light, heat and power.

Tenth—To construct and maintain works for supplying the city and its inhabitants with telephonic and telegraphic service

Eleventh—To construct, maintain and operate street railways and other means of public conveyance, together with all rolling stock, power houses, equipment, appliances and apparatus necessary and proper in the operation, management and control of the same.

Twelfth—To provide for the care of the sick and helpless and to make regulations to prevent the spread of epidemic and contagious diseases.

Thirteenth—To establish and change the grade and to lay out, open, extend, widen, change, vacate, pave, repave, gravel, surface, resurface and improve streets, alleys, sidewalks, crossings and other highways and public squares and places and to make provisions for cleaning and sprinkling the same.

Fourteenth—To construct and maintain sewers, drains and all other works necessary for the disposition of sewage and to construct and maintain garbage crematories and other works for the disposition or destruction of garbage

Fifteenth—To levy and collect taxes upon property for all municipal purposes, *provided*, that the tax levied for any one year for all municipal purposes other than for the payment of principal or interest on any bonds of the said city or for school purposes, shall not exceed one dollar on each one hundred dollars' worth of taxable property in the said city except as hereinafter provided. And to levy and collect assessments upon property to pay for the grading, regrading, laying out, opening, widening, extending, and improving of streets, alleys, sidewalks, crossings and other highways and public

squares and places, and the construction of sewers, water, gas and other pipes and conduits therein.

Sixteenth—To create, subject to the restrictions and limitations in the Constitution of the State of California and in this charter hereinafter contained, indebtedness not exceeding in all fifteen per centum of the assessed value of all the real and personal property in the said city subject to assessment for taxation for municipal purposes, to pay the costs of municipal improvements, the acquisition of public utilities or for any purpose whatever requiring an expenditure greater than the amount which can be appropriated for such purpose out of the annual tax levy

Seventeenth—To levy taxes exceeding the limit permitted in this charter; *provided*, that before such levy can be made the proposition to make such levy shall have been first approved by two thirds of the qualified electors of the city voting at a special election called for that purpose by the city council

Eighteenth—To license and regulate places of amusement and the carrying on of any and all professions, trades, callings, occupations and kinds of business carried on within the limits of said city and to fix the amount of license tax thereon to be paid by all persons engaged in carrying on such places of amusement and such professions, trades, callings, occupations and kinds of business in said city, and to provide for the manner of enforcing the payment of such license tax, and to regulate, restrain, suppress or prohibit hawking and peddling and the carrying on of any laundry, livery and sale stable, cattle or horse corral, planing-mill, rolling-mill, oil well, tank or refinery, foundry brick-yard, slaughter house, butcher-shop and the keeping of bees, cattle or poultry within the limits or within any designated portion of said city; and to prohibit and suppress all faro banks, games of chance, gambling houses, bawdy houses, saloons, bars, bar-rooms or other places where spirituous, malt, vinous, or other intoxicating liquors are sold or given away, and any and all obnoxious, offensive, immoral, indecent or disreputable places or practices within the said city.

Nineteenth—To create offices other than those established by this charter or by the general law, whenever the public convenience or necessity may require the same, and to prescribe the duties pertaining to the offices thus created, and to provide for the election or appointment, and to fix the compensation of the officers to fill the same.

Twentieth—To make, adopt, and enforce all necessary rules and regulations for the prevention of fires, floods and riots, and to make and enforce all such local, police, sanitary and other regulations as are deemed expedient to maintain the public peace, protect property, promote the public morals, and preserve the health of the inhabitants of the city

Twenty-first—To prescribe the manner in which the times at which, and the places where elections shall be held in such city, and to appoint the officers to conduct such elections and provide for their compensation

Twenty-second—To make the violation of its ordinances a misdemeanor and to prescribe the punishment for such violation, which punishment shall be by fine or imprisonment, or by both fine and imprisonment; *provided, however*, that such fine shall not exceed the sum of five hundred ($500 00) dollars and such imprisonment shall not exceed six months.

Twenty-third—To exercise the right of eminent domain for the purpose of acquiring real and personal property of every kind, including water, water rights, and water works, within or without the corporate limits, necessary or convenient for the use of the said city or its inhabitants

Twenty-fourth—To exercise all municipal and police powers necessary to the complete and efficient management and control of the municipal property, and for the efficient administration of the municipal government whether such powers are herein expressly enumerated or not.

ARTICLE 2

OFFICERS

SECTION 1 The officers of the city shall be:

Mayor.

Five members of the City Council.

City Treasurer, who shall be ex officio City Tax and License Collector.

City Clerk.

City Attorney.

Judge of the Police Court

City Auditor, who shall be ex officio City Assessor

City Engineer

Superintendent of Streets

Board of Commissioners, consisting of five members, who shall have control of the park, water, fire, and police departments of the city government.

Board of Education, consisting of five members

Board of Library Trustees, consisting of five members.

Board of Health, consisting of five members

SEC 2 Every officer provided for in this charter shall, within ten days after receiving his certificate of election or appointment, qualify by giving the bond required by this charter, or the ordinances of the city, and by taking and subscribing to the following oath or affirmation:

"I do solemly swear (or affirm, as the case may be), that I will support the Constitution of the United States, and the Constitution of the State of California, and I will

faithfully discharge the duties of the office of (insert name of office) according to the best of my ability."

ARTICLE 3.

SALARIES OF OFFICERS.

SECTION 1. The officers of the city, in this section named, shall receive in full compensation for all services of every kind rendered by them the following salaries, payable in equal monthly installments at the end of each calendar month, viz:

The Mayor, fifteen hundred dollars per annum.

Each member of the Council, three dollars for each regular meeting of the Council which such member shall attend; *provided*, that the number of such regular meetings for which compensation shall be paid shall not exceed five during any month.

City Treasurer and ex officio City Tax and License Collector, one thousand dollars per annum

City Clerk, twelve hundred dollars per annum.

SEC. 2. The members of the Board of Commissioners, the members of the Board of Education, the members of the Board of Library Trustees, and the members of the Board of Health, shall serve without compensation

SEC. 3. In all cases, not otherwise provided for by this charter, the City Council shall, by ordinance, fix the salaries or other compensation of officers and employés.

SEC. 4 No officer of the city shall be compensated by fees or commissions, but only by a fixed salary, payable monthly

SEC. 5. No officer or employé of the city shall receive or accept any fee, recompense or compensation for the discharge of any duty of his office from any person or corporation other than the city

ARTICLE 4.

BONDS OF OFFICERS.

SECTION 1. Officers and employés of the city before entering upon the discharge of their official duties shall give and execute to the city such official bonds as may be required by general law, this charter, or ordinance of the city

SEC 2 When the amount of the bond is not fixed by law or by this charter, it shall be fixed by an ordinance of the City Council.

SEC 3. Every bond given by any officer or employé must be approved as to form by the City Attorney, and all bonds, excepting the bond of the Auditor, must be approved by the Mayor and Auditor. The bond of the Auditor must be approved by the Mayor. The approval of every official bond must be indorsed thereon and signed by the officers approving the same. Upon the approval of a bond it must be recorded in the office of the City Clerk in a book kept for that purpose. After recording, the bond of the Auditor shall be filed and kept in the office of the City Clerk All other official bonds shall be filed and kept in the office of the Auditor.

SEC 4 The following named officers shall execute official bonds to the city with sureties in the following sums, viz:

The City Treasurer and ex officio City Tax and License Collector in the sum of seventy-five thousand dollars, the City Clerk in the sum of ten thousand dollars, the City Auditor and ex officio City Assessor in the sum of ten thousand dollars, the City Engineer in the sum of five thousand dollars, the Superintendent of Streets in the sum of ten thousand dollars.

SEC. 5. The City Council may at any time by ordinance increase the penal sum of any such bonds

SEC. 6. No city officer, deputy or employé shall be accepted as surety for any other city officer, deputy or employé on any official bond Every such bond shall contain a condition that the principal will perform all official duties, then, or which may thereafter be imposed upon or required of him by law, by ordinance or by this charter, 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. Such bond must also be executed by two or more sureties, who shall justify in the amount required for said bond; but, when the amount of the bond is more than five thousand dollars, the sureties may become severally liable for portions thereof, not less than twenty-five hundred dollars. When there are more than two sureties, such sureties may justify in an amount which in the aggregate shall equal double the amount of said bond In giving such official bonds, the principal giving the same may furnish as one of the sureties, or as the sole surety thereon, any of the lawfully authorized surety companies described in sections ten hundred and fifty-six and ten hundred and fifty-seven of the Code of Civil Procedure of the State of California.

SEC. 7. Every surety upon an official bond, other than such lawfully authorized surety companies, must make an affidavit which shall be indorsed upon such bond, that he is a resident of the county of Los Angeles, and that he is the owner of real estate therein, and that he is worth in property situated in said county, exclusive of incumbrances thereon, double the amount of his undertaking, over and above all sums for which he is already liable, or in any manner bound, whether as principal, indorser, or surety, and whether such prior obligation or liability be conditional or absolute, liquidated or unliquidated, due or to become due All persons offered as sureties on official bonds may be examined on oath as to their qualifications by the aforesaid officers whose duty it is to approve such bonds.

SEC. 8. The City Council may, by resolution adopted at a regular meeting, require of any officer or employé an additional bond whenever in the opinion of such Council the bond given by such official or employé for any reason becomes insufficient.

SEC. 9. Every officer of the city shall be liable on his official bond for the acts and omissions of his deputies, assistants, or clerks appointed by him, and may exact for his protection bonds from such deputies, assistants, and clerks.

SEC 10 Where not otherwise provided by this charter, the Council may by ordinance require any officer, deputy, assistant clerk or employé of the city, or of any of its departments, to give to the city bonds for the faithful performance of official duty, and may fix the amount of such bonds, and prescribe the conditions thereof, but the qualifications of sureties thereto shall be as otherwise prescribed in this article in respect to the official bonds required hereunder

ARTICLE 5

EXECUTIVE DEPARTMENT

Mayor.

SECTION 1. The chief executive officer of the city shall be designated the Mayor He shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for the five years next preceding the day of his election He shall be elected by the qualified electors of the city, and shall hold office for two years, and until his successor is elected and has qualified.

SEC. 2. 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 defalcations 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 City 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 City 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. 3 He shall take all proper measures for the preservation of public order and suppression of all riots and tumults.

SEC. 4. The Mayor, with the approval of the Council, shall appoint all officers of the city whose election or appointment is not otherwise specifically provided for in this charter or by law When a vacancy occurs in any office, and provision is not otherwise made in this charter or by law for filling the same, the Mayor, with the approval of the Council, shall appoint a suitable person to fill such vacancy, who shall possess the qualifications prescribed for such office and who shall hold office for the remainder of the unexpired term.

SEC 5 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 discharge such other duties and do such other things as are required of him by any of the provisions of this charter

SEC 6 When and so long as the Mayor is temporarily unable to perform his official duties, the President of the Council shall act as Mayor pro tempore. When a vacancy occurs in the office of Mayor, it shall be filled for the unexpired term by the Council, assembled for that purpose. A member of the Council, during the term for which he shall have been elected or appointed, shall be ineligible to fill such vacancy

City Treasurer, Tax and License Collector.

SEC. 7. The Treasurer shall be ex officio Tax and License Collector. He shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for the five years next preceding the day of his election. He shall be elected by the qualified electors of the city and shall hold office for four years and until his successor is elected and has qualified.

SEC 8 The Treasurer shall receive and keep all moneys that shall come to the city from taxation or otherwise, and pay the same out, on demands properly audited, in the manner provided for in this charter, and without such auditing he shall disburse no public money whatever, except the principal and interest on the bonded indebtedness of the city when the same shall be payable; he shall keep an accurate account of all his

receipts and disbursements under such rules and regulations as may be prescribed by ordinance; he shall make a monthly statement to the City Council of all his receipts and disbursements during the preceding month, and shall do all things required of him by this charter and the ordinances of the city.

SEC. 9. As soon as suitable vaults are provided by the city, the Treasurer shall keep therein all moneys belonging to the city, and shall not thereafter, under any circumstances, deposit with any person, corporation or bank, any of the money of the city, or allow the same, except in the payment of demands against the city, to pass out of his custody. Until such vaults are provided, the treasurer shall not deposit any of the city money with any person or corporation other than National or State banks doing business in the city. The Treasurer shall not, under any circumstances, loan to any person or corporation whatever any of the money of the city.

SEC 10 The City Treasurer shall be ex officio Tax and License Collector, and as such Tax and License Collector he shall receive and collect all city taxes, general and special, license taxes and other branches of the city revenue, not otherwise herein provided for; he shall keep proper books, showing all moneys collected by him as Tax and License Collector, and also a book which shall contain a record of every deed given by or on behalf of the city for real estate sold for delinquent taxes or assessments, which book shall be properly indexed, and shall be at all suitable times open to public inspection; he shall do and perform such other duties as may be required of him by this charter or by the ordinances of the city. He shall pay all moneys collected by him as Tax and License Collector into the city treasury daily.

City Clerk.

SEC. 11. The City Clerk shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for the five years next preceding the day of his election He shall be elected by the qualified electors of the city, and shall hold office for four years and until his successor is elected and has qualified.

SEC. 12. The City Clerk shall have the custody of, and be responsible for the corporate seal, all books, papers, records and archives belonging to the city not in actual use by other officers, or elsewhere by special provision committed to their custody. He shall be present at each meeting of the Council and of the Board of Equalization, and keep a record of its proceedings He shall keep separate books in which respectively he shall record all ordinances and contracts and official bonds. He shall keep all the books properly indexed and open to public inspection when not in actual use He shall make out, sign and deliver to the City Auditor all licenses other than building permits, and perform such other duties as are or shall be imposed by this charter, or by ordinance. He shall have power to take affidavits and administer oaths in all matters relating to the business of the city, and shall make no charge therefor. He shall devote his entire time to the duties of his office He shall be the custodian of the City Hall, and of all personal property, the custody of which has not been otherwise provided for

City Attorney.

SEC. 13. The City Attorney shall be a citizen of the State and shall have been a resident and qualified elector of the city for the three years next preceding the day of his appointment. He shall have been duly admitted to practice his profession 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 five years next preceding his appointment. He shall be appointed by the Mayor, and his appointment confirmed by the Council. He may be removed by the Mayor, with the consent of the Council, at any time.

SEC 14. The City Attorney shall prosecute, in behalf of the people, all criminal cases arising from violations of the provisions of this Charter and the ordinances of the city, and shall attend to all suits, matters, and proceedings in which the city may be legally interested, *provided*, the City Council shall have control of all litigation of the city and may employ other attorneys to take charge of any litigation or to assist the City Attorney therein He shall be in attendance at every regular meeting of the Council, and shall give his advice or opinion in writing whenever requested so to do by the City Council or any of the boards or officers of the city He shall approve the form of all bonds given to, and all contracts made by, the city, indorsing his approval thereon in writing He shall, whenever required by the City Council or any member thereof, draft any and all proposed ordinances for the city, and amendments thereto; and shall do and perform all such things touching his office as the City Council or the Mayor may require of him On vacating the office he shall surrender all books, papers, files, and documents, pertaining to the city business to his successor.

City Auditor and Assessor.

SEC 15. The City Auditor shall be ex officio City Assessor. He shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for a period of three years next preceding the day of his appointment He shall be appointed by the Mayor and his appointment confirmed by the Council. He may be removed by the Mayor at any time with the consent of the Council.

SEC. 16. As City Auditor he shall number and keep a record of all demands approved by him, showing the date of approval, amount, and name of original and present holder, on what account allowed and out of what fund payable and by what officer or board it has been previously approved. He shall be always acquainted with the exact condition

of the city treasury. He shall, on the application of any person indebted to the city or any officer or person holding money payable into the treasury, or desiring to pay money therein, certify to the City Treasurer the amount thereof, to what fund applicable and by whom to be paid. He shall, upon the order of the City Treasurer directing him to issue a receipt for money paid into the city treasury, charge the City Treasurer with the money and give the person paying the same a receipt therefor. He shall apportion among the several funds all public moneys at any time in the city treasury, not otherwise by law or ordinance specifically apportioned and appropriated, and forthwith notify the City Treasurer of such apportionment He shall countersign all licenses or permits issued by any city officer or board whereon money is to be paid to such officer or board for the use of the city, and shall charge such officer with the proper amount No such license or permit shall be valid unless countersigned by him. He shall, at the first meeting of the Council every month, and oftener if required, report to the Council the condition of each fund in the treasury. He shall make a similar report to the Mayor at any time when requested by the Mayor, in writing, so to do. He shall keep a complete set of books for the city in which shall be set forth in a plain and business-like manner every money transaction of the city, so that he can tell at any time the exact condition of the city's finances He shall make an annual report to the City Council showing the sources from which the city's revenue was derived and how expended. He shall approve and sign all warrants and demands upon the city treasury, except as otherwise in this charter provided He shall keep in his office in a place accessible and open at all times during office hours to the public a book containing a list of the names of all persons or corporations who are bondsmen for the officers of the city, giving the names of the officers for whom they are bondsmen and the amounts for which they are severally holden. He shall keep publicly posted in his office a list of all persons receiving salaries or wages from the city, with the amount of monthly salaries or wages received by each opposite his name, which list shall be revised and corrected by him monthly. He shall prescribe a system of books and records to be kept by each department of the city government and a form of monthly reports to be made by each department to the City Auditor showing the business transactions of such departments and all receipts and distributions of material, supplies, tools, etc., to the end that the Auditor may have a complete and accurate knowledge of the business transactions of the city and of the several departments and be able to keep full and accurate records of the same and report them to the Council and the Mayor as herein provided. Such system of books and records and such form of reports shall be submitted to the Council, and, on approval by the Council, shall at once be put in force by the several officers and departments of the city, and shall thereafter not be changed except after the proposed changes have been submitted by the Auditor to and have been approved by the Council. He shall discharge such other duties as may be required of him by law, by this charter, or by the ordinances of the city. He shall have authority to take affidavits and administer oaths necessary to the transaction of the city business

SEC. 17. As Assessor he shall perform all the duties prescribed by this charter or by law for assessing property in the city for purposes of taxation, and shall collect such taxes upon personal property as by this charter are required to be collected by him.

City Engineer

SEC. 18. The City Engineer shall be a citizen of the State and a resident and qualified elector of the city. He shall have had not less than five years' practical experience as a civil engineer, next preceding the day of his appointment. He shall be appointed by the Mayor and his appointment confirmed by the Council. He may be removed by the Mayor at any time with the consent of the Council

SEC. 19. The City Engineer shall perform all the engineering and surveying required in the carrying on of the public works and improvements done under the direction of the Council or any department of the city government All maps, plats, profiles, field notes, estimates and other memoranda of surveys and other professional work made or done by him or under his direction or control during his term of office shall be and continue to be the property of the city. He shall be the custodian of, and responsible for all maps, plats, profiles, field notes and other records and memoranda belonging to the city, pertaining to his office and the work thereof, all of which he shall keep in proper order and condition, with full indexes thereto. He shall have the final decision, unless otherwise provided by ordinance, as to the proper locality and height of telegraph, telephone, electric light and other poles, as well as the proper alignment and height above the ground of all telephone, telegraph, electric light and other wires, the depth below the surface and alignment of all gas, water, sewer and other pipes and conduits, and the grade and proper alignment of all street railroad tracks.

Superintendent of Streets.

SEC. 20. The Superintendent of Streets shall be at least thirty years of age, a citizen of the State and shall have been a resident and qualified elector of the city for a period of three years next preceding the day of his appointment. He shall be appointed by the Mayor and his appointment confirmed by the Council. He may be removed by the Mayor at any time with the consent of the Council.

SEC. 21 It shall be his duty to see that the laws, ordinances, orders and regulations relative to the public streets and highways are fully carried into execution, and that the penalties for a breach thereof are rigidly enforced. He shall superintend and direct the sweeping, cleaning and sprinkling of the streets and the cleaning and flushing of all sewers, and keep himself informed of the condition of all public streets and high-

ways. He shall have the general care of and frequently inspect the streets and highways of the city. He shall receive and investigate all complaints as to their condition and shall have charge of the enforcement of all ordinances and laws pertaining to street obstruction. He shall frequently inspect all public works pertaining to street improvement while the same are in course of construction, inspect and approve or reject all material used in such construction whether done by contract or otherwise, and shall at once report to the Council all deviations from contracts, and use of improper material and bad workmanship in such construction. He shall perform such other duties as are required of him by this charter, by the ordinances of the city or the general law of the State.

ARTICLE 6.

PARK, WATER, POLICE, AND FIRE DEPARTMENTS.

SECTION 1. The park, water, police, and fire departments of the city shall be under the control and management of a Board of Commissioners, consisting of five members, four of whom shall be appointed by the Mayor, and their appointment confirmed by the Council Each of the four thus appointed shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for the three years next preceding his appointment. The fifth member of the board shall be the Mayor, who shall be the presiding officer of the board Those members of the board first appointed under this charter shall so classify themselves by lot that one shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and one at the end of four years; thereafter their successors shall hold office for four years and until their successors are appointed.

SEC. 2. Three of the members of the board shall constitute a quorum for the transaction of business. The City Clerk shall act as secretary of the board and keep the minutes thereof

SEC. 3. The board shall have the exclusive control and management of all lands and real property which may be acquired, set apart, or dedicated for the use of the people of the city as public parks, or pleasure grounds, and of any boulevard that may be acquired, dedicated, or constructed as a portion of the park system of the city. The board shall have authority to purchase all articles and materials for, and have all work and labor performed upon said parks, pleasure grounds, and boulevards; and to that end may appoint, remove, discharge, or suspend superintendents, laborers, and all other persons employed upon or about said parks, pleasure grounds, and boulevards. The board shall have authority to establish rules and regulations for the use and government of such parks, pleasure grounds, and boulevards, and shall have the right to prohibit the use of the drives in any of said parks, or pleasure grounds, or the said boulevards, for teaming, or other purposes which may be injurious to them.

The board shall have authority to direct and regulate the planting, trimming, pruning, and care of shade and ornamental trees and shrubbery in any and all of the streets, alleys, public places, and grounds of the city, and to cause the removal of objectionable trees and shrubbery from such streets, and public places

SEC. 4 The board shall have the exclusive control and management of all water and water works that may hereafter be acquired by the city; the construction, maintenance, and improvement of such works; the management, rental, sale, and distribution of such water; the collection of rates for the same, and the general charge thereof. The board shall annually recommend to the Council the rates to be charged for such water, but such rates shall be fixed by the Council. The board may appoint, remove, discharge, or suspend superintendents, laborers and all other persons employed upon or about said water works, or in the management, rental, sale, and distribution of such water, and the collection of rates for the same, and may prescribe and fix their duties, compensation, and authority

SEC. 5. The board shall have the exclusive control and management of the Police Department of the city, and shall have power:

First—To organize the said department, and change the organization from time to time, as in the judgment of the board shall seem best

Second—To appoint, promote, suspend, reduce, or dismiss any officer or member thereof; *provided, however*, that no such officer or member shall be suspended, reduced, or dismissed without the reasons for such action being set out at length in the minutes of the board.

Third—To prescribe rules and regulations for the government, discipline, equipment and uniform of the members and officers of the department, to fix their compensation, powers and duties and to prescribe and enforce penalties for violations of any of such rules and regulations.

Fourth—To appoint, upon the application of any person, firm or corporation, special police officers who shall receive no pay from the city and who may be removed at any time by the board; *provided, however*, that such special police officers shall be subject to all the rules and regulations of the board

Fifth—To appoint, at times of public emergency, special policemen who shall serve for such time as is designated in their appointment and who shall receive such compensation as may be fixed by the board.

Sixth—To provide for the care, restitution, sale or destruction of such unclaimed property as may come into the possession of the department.

Seventh—To do any other acts which shall be necessary to the efficient equipment and operation of the Police Department of the city.

SEC. 6. In the organization of the Police Department the said board shall appoint a Chief of Police who shall keep a public office to be provided by the City Council, which office shall be open day and night. The Chief of Police shall devote his entire time to the discharge of the duties of his office, and shall, under the direction of the board, have control of the police force of the city He shall have power to suspend any member of the police force for disobedience of any lawful order, for the violation of any rule or regulation adopted by the board, for the neglect of duty or for any conduct unbecoming a member of the police force, but shall immediately notify the board of such suspension by leaving a written notice of such suspension, giving his reasons therefor, with the Mayor, and thereupon the matter shall be in the hands of the board for its action thereon The Chief of Police shall discharge all duties required of him by this charter, by the ordinances of the city or by the rules and regulations of the board.

SEC. 7. In addition to the Chief of Police the board, in the organization of the Police Department, shall provide for a permanent police force, which shall consist of such number of policemen as the board shall from time to time deem necessary to preserve the peace, protect the lives and property of the citizens, and enforce all laws and ordinances within the city.

SEC 8. The board shall have the exclusive control and management of the Fire Department of the city, and shall have power:

First—To organize the said department and change the said organization from time to time as in the judgment of the board seems best.

Second—To appoint, promote, suspend, reduce, or dismiss any officer or member of the department; *provided*, that no such officer or member shall be suspended, reduced, or dismissed without the reasons for such action being set out at length in the minutes of the board.

Third—To prescribe rules and regulations for the government, discipline, equipment, and uniform of the members and officers of the department, to fix their compensation, powers, and duties, and to prescribe and enforce penalties for violation of any of such rules and regulations

Fourth—To do any other act that shall be necessary to the efficient equipment and operation of the Fire Department of the city.

SEC 9 It shall be the duty of the board to see that the city is properly supplied with all the necessary appliances and apparatus for the extinguishment and prevention of fires, to order the placing of hydrants and fire-alarm boxes for said purposes and to provide means for the proper care, handling, hauling and housing of all apparatus belonging to the Fire Department.

SEC. 10 In the organization of the Fire Department the board shall provide for a Chief Engineer, who shall devote his whole time to the discharge of the duties of his office and shall, under the direction of the board, have control of the officers and men employed in the Fire Department. He shall have power to suspend any officer or employé of the department for disobedience of any lawful order, for the violation of any rule or regulation adopted by the board, for neglect of duty, or for any conduct unbecoming a member of the department, but shall immediately notify the board of such suspension by leaving a written notice of such suspension, giving his reasons therefor, with the Mayor, and thereupon the matter shall be in the hands of the board for its action thereon. The Chief Engineer shall see that all the rules and regulations of the board relating to the Fire Department are enforced and shall be charged with the especial duty of superintending the extinguishment of fires and seeing that all property imperiled thereby is protected and guarded.

ARTICLE 7.

MISCELLANEOUS DEPARTMENTS.

SECTION 1 All departments of the public service and public works, not in this charter otherwise provided for, shall be under the direction and control of the City Council, and the City Council may organize the same, and change such organization from time to time as to the City Council shall seem best. The City Council shall have power to appoint, promote, suspend, reduce or dismiss all officers or employés of such departments, fix the powers, duties and compensation of such officers and employés, prescribe rules and regulations for the government, discipline and equipment of such departments and to enforce penalties for the violation of any such rules and regulations; and shall have power to do anything that may be necessary to maintain said departments in a high state of efficiency.

ARTICLE 8.

LEGISLATIVE DEPARTMENT.

SECTION 1. The legislative power of the city shall be vested in a Council of five members; *provided, however*, that such legislative power shall be exercised subject to the veto power of the Mayor as in this charter provided

SEC. 2. One of the members of the Council shall be nominated from each of the wards of the city and one from the city at large All of the members shall be elected at large by the qualified electors of the city Each of the members of the Council shall have been a citizen of the State and a resident and qualified elector of the city for a period of at least three years immediately preceding the day of his election The members nominated from the wards shall be residents of the wards from which they are nominated.

SEC. 3. The members of the City Council first elected under this charter shall so classify themselves by lot that two of their number shall hold office for two years, and three of their number shall hold office for four years; thereafter their successors shall hold office for four years and until their successors are elected and have qualified.

SEC. 4. The Mayor shall preside at all meetings of the Council and may take part in the deliberations thereof, but shall not have the right to vote.

In the absence of the Mayor the Council shall 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 Council, and with like effect, as the Mayor would have had if present at the meeting. The member thus appointed shall be designated the President of the Council, and in the event that the Mayor, for any reason, is temporarily unable to perform his official duties, the President of the Council shall act as Mayor pro tempore.

SEC. 5. Three of the members of the Council shall constitute a quorum for the transaction of business, but a less number may adjourn from time to time or compel the attendance of other members in such manner and under such penalties as the Council may prescribe. No order except to adjourn for lack of a quorum, or to compel the attendance of absent members, and no ordinance or resolution shall be valid unless it receive the affirmative votes of three members.

SEC 6. 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 Council and spread upon the minutes No order, resolution, or ordinance shall have any 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 by the Council, 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 reason for his disapproval. No ordinance or resolution shall be placed upon its final passage upon the same day that it has been introduced and read in full for the first time, and every ordinance and resolution to be valid must be passed by a vote of not less than three members of the Council and approved by the Mayor; *provided, however*, that if the Mayor disapprove any order or does not approve any resolution or ordinance within the time herein provided it may be passed by a vote of not less than four members of the Council and shall then be as valid as if approved by the Mayor.

SEC 7 The enacting clause of all ordinances shall be "The Mayor and City Council of the City of Pasadena do ordain as follows."

SEC. 8. All ordinances adopted under this charter shall be published, in the English language, at least once in a newspaper published in the City of Pasadena, and until such publication no ordinance shall take effect

SEC 9. All meetings of the City Council shall be public, and a journal of its proceedings shall be kept by the City Clerk under its direction, and the ayes and noes shall be taken and entered in the journal on the final action of the City Council in the granting of franchises, in the authorization of contracts, in the ordering work to be done or supplies furnished, in the ordering of assessments for street improvements, or the building of sewers, the passage of any ordinance, and in all other cases upon the call of any member.

SEC. 10. The City Council shall have power:

First—To fix the time and place of its meetings, to compel the attendance before it of witnesses, and the production of papers in any matter under investigation, to judge of the qualification and election of its own members, and to punish any member or other city officer, by a fine of not exceeding fifty dollars, for disorderly or contemptuous behavior in its presence

Second—To make and pass all ordinances, resolutions, and orders not repugnant to the Constitution of the United States, or of the State of California, or to the provisions of this charter, necessary for the municipal government and the management of the affairs of the city, for the execution of the powers vested in the city, and for carrying into effect the provisions of this charter.

Third—To levy and collect taxes and assessments for city purposes on all property within the city which is by law taxable for State and county purposes

Fourth—To provide for the lighting of the streets and public buildings and places of the city and to regulate such lighting.

Fifth—To regulate the use and sale of gas, electric and other light in the city, to fix and determine the price thereof, as well as the rental price of all gas and electric light meters within the city, and to provide for the inspection of such meters.

Sixth—To regulate telephone service and the use of telephones, and to fix and determine the charges for telephones, telephone service and connections within the city.

Seventh—To cause the removal and placing under ground of all telephone, telegraph, electric light, or other wires within the city, or within any designated portion thereof, and to regulate and prohibit the placing of poles and the suspending of wires along or across any of the streets, alleys, and public places of the city.

Eighth—To regulate, license, or prohibit the construction and use of billboards and signs adjacent to or near the streets, alleys and public places of the city

Ninth—To license and regulate the keeping of dogs, and to prevent the same from running at large, and to authorize the destruction thereof

Tenth—To establish pounds and pound districts which shall be under the supervision and control of a poundmaster, and restrain the running at large of poultry, horses, mules, cattle, swine, sheep, and other animals, and to authorize the destruction and sale of the same.

Eleventh—To establish, license, or regulate markets and market houses.

Twelfth—To provide for and regulate the inspection by the health officer of meats, poultry, fish, game, bread, butter, cheese, lard, eggs, vegetables, flour, meal, milk, and other food products offered for sale in the city, and to provide for the taking and summarily destroying of any such products as are unsound, spoiled, adulterated, or unwholesome, and to regulate and prevent the bringing into the city, or having or keeping within the city of such unsound, spoiled, adulterated, or unwholesome products.

Thirteenth—To provide for the inspection of and to regulate the sale of bread within the city and to prescribe the weight of the loaf and to provide for the seizure and forfeiture of bread offered for sale which does not comply with such regulations.

Fourteenth—To provide for and regulate the manner of weighing hay, straw, and coal and the selling of the same, and the measuring and selling of firewood within the city

Fifteenth—To provide for the inspection and sealing of all weights and measures used in the city and to enforce the keeping and use by dealers of proper weights and measures duly tested and sealed.

Sixteenth—To regulate the construction of and the material used in all buildings, chimneys, stacks, and other structures; to prevent the erection and maintenance of insecure or unsafe buildings, walls, chimneys, stacks, or other structures, and to provide for their summary abatement or destruction, to prescribe the depth of cellars and basements, the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials used in and the thickness and construction of party walls, partition and outside walls, the thickness and construction of chimneys, the construction and character of bath-rooms, water-closets, privies and vaults, the manner and materials used in wiring buildings or other structures for the use of electricity for lighting, power or other purposes, and the manner and materials used for piping buildings or other structures for the purpose of supplying the same with water and gas; to prohibit the construction of buildings and structures which do not conform to such regulations.

Seventeenth—To require the owners and lessees of buildings or other structures to place upon or in them fire-escapes and appliances for protection against and the extinguishment of fires.

Eighteenth—To prevent the construction and to cause the removal of dangerous chimneys, fireplaces, hearths, stoves, stove-pipes, ovens, boilers, apparatus and machinery used in any building in the city; to regulate the carrying on of manufactories liable to cause fire; to prevent the depositing of ashes or the accumulation of shavings, rubbish, or any combustible material in unsafe places, and to make provisions to guard against fire

Nineteenth—To prescribe fire limits and determine the character and height of buildings that may be erected therein and the nature of the materials to be used in the construction, alteration or repair of such buildings, or in the repair or alteration of existing buildings within said fire limit.

Twentieth—To regulate the entrance to and exit from all theaters, lecture rooms, public halls, schools, churches and public buildings of every kind and to prevent the placing of seats, chairs, benches, or other obstructions in the halls, aisles, or open places therein.

Twenty-first—To regulate or prohibit the operation of blasts and blasting and the construction and operation of derricks, windlasses and other structures, apparatus and operations hazardous to life and property and to regulate the operation and provide for the inspection of freight and passenger elevators, boilers, engines, dynamos, and other apparatus generating steam or electricity.

Twenty-second—To define nuisances, and to prevent, remove, and abate the same, and to provide that said nuisances may be removed or abated at the expense of the party or parties creating, causing, committing, or maintaining such nuisances, and to prohibit offensive or unwholesome business or establishments within the city

Twenty-third—To regulate lodging, tenement and apartment houses and to prevent the over-crowding of the same and to require the same to be put and kept in proper sanitary condition

Twenty-fourth—To provide for and regulate the inspection of all dairies, either within or without the city limits, that offer for sale, or sell, any of their products in the city

Twenty-fifth—To provide for the naming of streets, and the numbering of houses, and to regulate or prohibit the exhibition of banners, flags, placards, or signs across the streets, sidewalks, or public places of the city.

Twenty-sixth—To regulate or prohibit the loading or storing of gunpowder, and other combustible and explosive materials in the city, and the transportation of the same through the streets of the city.

Twenty-seventh—To regulate the speed of railroad trains, engines, and cars passing through the city, and the speed of cars of street railway companies using the public streets of the city: to require railroad companies to station flagmen, place gates or viaducts at all such street crossings as it may deem proper, to require street cars to be provided with fenders, or other appliances for the better protection of the public; to prohibit the making up of railroad trains upon any of the streets, street crossings, or

street intersections of the city; to regulate the speed with which persons may ride or drive, or propel bicycles, tricycles, automobiles, or other vehicles along or upon any of the streets or highways of the city.

Twenty-eighth—To establish stands for hacks, public carriages, express wagons, and other public vehicles for hire, and regulate the charges of such hacks, public carriages, express wagons, and other public vehicles, and require schedules for such charges to be posted in or upon such public vehicles

Twenty-ninth—To regulate street railroads, their tracks and cars; to compel the owners of two or more such roads using the same street for any distance, not exceeding five blocks, to use the same tracks and to equitably divide the cost of construction and the cost of maintenance thereof between them.

Thirtieth—To prohibit the injury to or interference with the ornamental trees and shrubbery in the streets and public places of the city, and to prescribe the punishment for such injury and interference.

Thirty-first—To grant the right to erect or lay telegraph or telephone wires, to construct and operate street railroads, to lay gas or water pipes, to erect poles and wires, or lay conduits for transmitting electric energy for lighting or power purposes along or upon the public streets and highways of the city; *provided, however*, that all such rights and franchises shall be granted subject to all the restrictions and limitations in this charter contained relating to the granting of franchises.

Thirty-second—To make arrangements for the care, feeding, and clothing of all persons imprisoned by municipal authority or sentenced to imprisonment by the Police Court, and to provide that all such persons shall work upon the streets, or do other public work.

Thirty-third—To restrain or punish vagrants, mendicants, street beggars, and lewd persons, and prevent diseased, maimed, injured, or unfortunate persons from displaying their infirmities for the purpose of receiving alms, and to prevent and punish drunkenness and all obnoxious, offensive, immoral, indecent, and disorderly conduct and practices in the city.

Thirty fourth—To make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease; to make regulations to prevent the introduction of contagious, infectious or other diseases into the city; to make quarantine laws and regulations, and to enforce the same within the city; to regulate, control, and prevent the entry into the city of persons, baggage, merchandise, or other property infected with contagious disease.

Thirty-fifth—To provide for the sale of personal property belonging to the city which is not needed by or which is not suited for the use of the city.

Thirty-sixth—To prohibit and punish cruelty to animals and fowls, and to require the places where they are kept to be maintained in a healthful condition.

Thirty-seventh—To set apart and dedicate as a boulevard or boulevards any street or streets or portions of a street or streets in the city.

Thirty-eighth—To maintain police and fire departments

Thirty-ninth—To suspend any officer of the city pending trial against whom any criminal proceeding or any civil action for the recovery of any money due the city has been commenced, and the Mayor shall appoint a substitute for such officer during suspension. In voting upon the suspension or removal of officers the Council shall vote by ayes and noes, and the same shall be taken and entered upon the journal.

Fortieth—To adopt and enforce by ordinance all such measures, and to establish all such regulations, in case no express provision is in this charter made, as the Council may from time to time deem expedient and necessary for the promotion and protection of the health, comfort, safety, life, welfare, and property of the inhabitants of the city, the preservation of peace and good order, the promotion of public morals, and the suppression of vice in the city

Forty-first—To pass ordinances upon any other subject of municipal control, or to carry into force or effect any other powers of the municipality.

Forty-second—To adopt by ordinance at any time any provisions made by the general law of the State of California for the levy and collection, or either of them, of city taxes by and through the officers of the county.

Forty-third—To prescribe by ordinance the duties of all officers whose duties are not defined by this charter, and it may by ordinance prescribe for any officer duties in addition to those herein prescribed, when the same are not inconsistent with the provisions of this charter, and may fix the hours during which the public office of any city officer shall remain open, if not otherwise herein provided for.

SEC 11. If any elective or appointive officer of the city shall die or remove from the city, or shall absent himself from the city for more than thirty days without the consent of the Council, or shall fail to qualify by taking the oath of office or filing his official bond within ten days of the time he receives his certificate of election or appointment, or if he shall resign, or be convicted of a misdemeanor connected with the performance of his official duties, or be convicted of a felony, or adjudged insane, or absent himself from his office for more than twenty days without the consent of the Council, his office shall thereupon be declared vacant by the Council, if the office is an elective one, and by the Mayor, if the office is an appointive one; and the vacancy shall thereupon be filled by the Council if the office is an elective one, and by the Mayor, with the approval of the Council, if the office be an appointive one, unless otherwise provided for in this charter.

SEC. 12 Whenever there shall be presented to the Council a petition signed by a number of city electors equal to ten per centum of the votes cast in the city at the last

preceding State or general city election, asking that an ordinance, to be set forth in such petition, be submitted to a vote of the electors of the city, such proposed ordinance must be submitted to the vote of the electors at the next general city election, unless the said ordinance shall have been adopted more than thirty days prior to such election.

SEC. 13. Whenever there shall be presented to the Council a petition signed by a number of city electors which shall equal thirty per centum of the votes cast at the last preceding State or general city election, asking that an ordinance, to be set forth in such petition, be submitted to a vote of the electors of the city at a special election to be called for that purpose, such special election shall be called, and such proposed ordinance must be submitted to the vote of the electors at such special election, unless the Council shall within thirty days after having received said petition duly adopt such ordinance.

SEC 14. The Council may, at such general or special election, submit an alternative ordinance for the choice of the electors, and any number of proposed ordinances may be voted on at the same election

SEC 15 The signatures to such petitions need not all be appended to one paper, but each signer shall add to his name his place of residence, giving the street and number. One of the signers of each paper shall make oath before an officer competent to administer oaths, that the statements therein made are true, and that each signature to the paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

SEC. 16. The tickets used at such elections in voting on such ordinances shall contain the words, "For the ordinance" (stating the nature of the proposed ordinance), and "Against the ordinance" (stating the nature of the proposed ordinance).

SEC. 17. If a majority of the votes cast upon the question of such ordinance shall be in favor of the adoption thereof, the Council shall, within twenty days from the time of such election, proclaim such fact by publishing such proclamation attached to a copy of such ordinance at least once, in the English language, in a newspaper published in the city, and thereupon such ordinance shall have the same force and effect as an ordinance passed by the City Council, and approved by the Mayor, and the same shall not be repealed by the Council.

The Council may submit a proposition for a repeal of such ordinance, or for amendments thereto, to be voted upon by the electors of the city at any general election, and should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall, by the Council, be repealed or amended accordingly.

SEC 18. All resolutions and ordinances of the city now in force and not inconsistent with the provisions of this charter shall remain in force until amended or repealed.

ARTICLE 9.

STREETS.

SECTION 1. Whenever the City Council shall deem it expedient to establish the grade of the whole or any part of any street, avenue, lane, alley, court, or place in said city, the same shall be done by ordinance.

SEC. 2. Whenever the City Council shall deem it expedient to alter the established grade of the whole or any part of any street, avenue, lane, alley, court, or place in said city, said Council shall by ordinance declare its intention to alter such established grade, in which ordinance must be specified the grade that is proposed to be established, and shall publish such ordinance at least ten days in a daily newspaper published and circulated in the City of Pasadena.

SEC. 3. Within ten days after the first publication of such ordinance, any owner of property fronting on such street, or part thereof whereon said change is proposed, may make and file with the City Clerk a written remonstrance against the proposed change of grade, setting forth in detail the damage which will arise to him by reason of the proposed change of grade, and thereupon the same shall not be further proceeded with or made without compensation to such owner for any damage which may be occasioned to him by said change. The said damage shall be ascertained, if possible, by agreement between such owner and the Council, and in case such agreement cannot be reached with such owner, the amount of damage justly payable to such owner shall be determined by an action in the name of the city against him, and in case there is remonstrance from more than one, all said remonstrants may be joined as defendants in said action and all of their damages determined therein.

SEC. 4. The cost of providing crosswalks, and of improving all intersections of streets, including the cost of constructing sewers therein, and of space included between the center line of the street to be improved and the prolongation of the side lines of any street forming a junction with such street to be improved, to such center line, except the cost of constructing sewers therein, shall be paid out of the general or other appropriate fund of the city, and shall not be included in the special assessment for the proposed work. When a sewer is to be constructed within said last mentioned space, half of the cost of said sewer shall be assessed against the property abutting against said space extended, and one half of said cost shall be paid out of the general or other appropriate fund of the city.

SEC. 5. Except as provided herein the general law of the State of California relative to the improvement of, and work upon streets, lanes, alleys, courts, places, and side-

walks, including the construction of sewers, and providing for the laying out, opening, extending, widening, straightening, or closing up in whole or in part of any street, square, lane, alley, court, or place within municipalities, and to condemn and acquire any and all land and property necessary and convenient for that purpose; and for providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvements within municipalities, and to provide for the payment of such bonds; and for providing for the planting, maintenance and care of shade trees upon streets, lanes, alleys, courts, and places within municipalities, and of hedges upon the lines thereof, and for the eradication of weeds within city limits, now in force, or which may hereafter be adopted by the Legislature of this State, is hereby made a part of this charter, and shall govern the City Council in such matters.

ARTICLE 10.

CONTRACTS.

SECTION 1. The City of Pasadena shall not be and is not bound by any contract, except as otherwise provided herein, unless the same is made in writing by order of the Council and signed by the Mayor or by some other person, in behalf of the city, authorized so to do by the Council; *provided*, that the approval of the form of the contract by the City Attorney shall be indorsed thereon before the Council shall have power to order the same to be entered into in behalf of the city; but the Council, by an ordinance duly adopted, may authorize any officer, board or commission, or agent of the city to bind the city without a contract in writing for the payment for supplies, labor, or other valuable consideration furnished to the city in an amount not exceeding one hundred dollars.

SEC. 2. All contracts for goods, merchandise, stores, supplies, materials, subsistence, or printing, except as otherwise provided in this charter, for the city or for any of the departments or public institutions thereof, must be made by the City Council with the lowest bidder offering adequate security for the faithful performance of the contract, after the publication of a notice calling for bids in a newspaper published in said city for at least ten days before the day upon which the said bids are to be opened by the Council.

SEC. 3 All bids must be accompanied by a certificate of deposit issued by or a certified check drawn on a solvent bank doing business in the City of Pasadena for an amount equal to ten per centum of the bid, the said certificate of deposit or certified check must be payable at sight to the City Clerk. If the bidder to whom the contract is awarded shall, for five days after such award, fail or neglect to enter into the contract and file the required bond, the clerk shall draw the money due on such certificate of deposit or check and pay the same into the treasury, and under no circumstances shall the certificate of deposit or check or the proceeds thereof be returned to the defaulting bidder.

SEC. 4. The Council shall require bonds with sufficient sureties for the faithful performance of every contract. All such bonds, after having been approved by the City Attorney as to form, shall be approved by the Mayor, and such approval with the date thereof shall be indorsed upon said bonds and evidenced by the signature of the Mayor. The City Clerk shall furnish printed blanks for all such bids, contracts and bonds.

SEC. 5. All bids must be placed in a sealed envelope and delivered to the City Clerk and opened by the Council at the hour and place to be stated in the notice calling for bids All bids that do not conform to the requirements of this charter or are not in accord with the terms of the notice calling for bids must be rejected. The clerk shall return to the unsuccessful bidders their certificates of deposit or checks He shall retain the certificate of deposit or check of the successful bidder until after the approval by the Mayor of the bond furnished by such bidder, for the faithful performance of his contract, and then shall return such certificate of deposit or check to such successful bidder.

SEC. 6. All contracts for official advertising shall be let annually in a like manner to the lowest responsible bidder publishing a daily newspaper of general circulation in the city, *provided*, that the said newspaper shall have been in existence at the time of awarding said contract at least two years.

SEC. 7. When a contractor fails to enter into the contract awarded to him or to perform the same, new bids must be invited and a new contract awarded as provided herein in the first instance. When the Council believe that the prices bid are too high, or that bidders have combined to prevent competition, or that the public interest will be subserved thereby, they may reject any and all bids and cause the notice calling for bids to be readvertised

SEC. 8. No contract for removing garbage, sweeping, sprinkling, or lighting the streets, public buildings, places or offices shall be made for a longer period than one year, nor shall any contract to pay for power, gas or electric light at a higher rate than the minimum price charged to any other consumer be valid.

ARTICLE 11.

CLAIMS AND DEMANDS.

SECTION 1. Except as otherwise provided in this charter all demands payable out of the treasury must, before they can be approved by the Auditor or paid by the Treasurer be approved by the Council and the Mayor.

SEC. 2 All claims and demands whatever against the City of Pasadena, except interest coupons on bonds, and bonds of the funded debt, shall be paid only on demands as herein provided for.

SEC. 3. Said demands, except demands payable out of the school fund and library fund, shall be presented to the Council on forms to be supplied by the City Clerk. The Council shall consider the said demands and shall, if the same be just and legal approve the same, or may, if it so determine, approve in part or reject the whole The action of the City Council shall be indorsed thereon, with the date of such action and certified by the signature of the City Clerk.

SEC. 4 Any such demand, approved by the Council, in whole or in part, shall be delivered to the Mayor, who shall approve the same, in whole or in part, or reject the same and indorse such approval or rejection thereon, with the date of such action; *provided*, that the Mayor shall have no power to approve a demand for a sum larger than the sum for which it is approved by the Council. If the Mayor approve only in part, or for a less amount than approved by the Council, or reject any such demand, he shall return the same to the City Clerk with his objections in writing attached thereto.

SEC. 5. Any demand approved by the Mayor for the same amount as approved by the Council must, before it can be paid, be presented to the Auditor to be approved, who shall satisfy himself whether the money is legally due and remains unpaid, and whether the payment thereof from the treasury of the city is authorized by law, and out of what fund After such examination, he shall approve or reject the claim in whole or in part, and indorse on such demand his approval or rejection, over his signature, together with the date thereof. If it be approved, the fund out of which it is to be paid shall be designated If the claim is rejected in whole or as to any part of it (unless the party presenting it is willing to accept and receipt for it in full of the entire demand the sum offered), the Auditor shall return it, with his reasons for rejecting it, to the Council, board or other body which originally authorized it. No demand upon the city treasury shall be considered presented for action, or acted upon, allowed or approved by the Council, or any board or commission of said city, unless it specifies on its face each item composing such demand, and the amount and date thereof.

SEC. 6. Every demand shall be numbered and acted upon by the Auditor in the order of its presentation to him; and when allowed, either in whole or in part, it shall be numbered and entitled to payment in the same order as allowed.

SEC. 7. All demands payable out of the school fund must, before they can be approved by the City Auditor, or paid, be previously approved by the Board of Education, by a vote of three members thereof, taken with the ayes and noes, and spread on the minutes, and the action of said board indorsed on said demand, and signed by the presiding officer, and the clerk thereof. After the approval of said demands, they shall be delivered to the City Auditor, who shall have the same powers, and shall perform the same duties in reference to demands payable out of the school fund as is provided for other demands: *provided*, that in case the City Auditor shall reject any such demand, or if, in his opinion, said demand should be paid only in part, he shall return the same to the Board of Education instead of the Council.

SEC. 8 All demands payable out of the library fund must, before they can be approved by the City Auditor, or paid, be previously approved by the Board of Library Trustees by a vote of three members thereof, taken with the ayes and noes, and spread on the minutes of the board, and the action of said board, with the date of such action indorsed on said demands, and signed by the Mayor, as presiding officer, and by the clerk of said board.

After the approval of said demands, as herein provided, they shall be delivered to the City Auditor, who shall have the same powers, and perform the same duties in reference to demands payable out of the library fund as are provided for other demands, *provided*, that in case the City Auditor shall reject any such demand, or if, in his opinion, said demand should be paid only in part, he shall return the same to the Board of Library Trustees.

SEC 9. Any demand returned to the Council, with the objections of either the Mayor or the Auditor, shall again be considered by the Council, and if it shall again be approved by the Council and indorsed and certified as required by section three of this article, the said objection shall thereby be overruled. Any demand returned to the Board of Education or to the Board of Library Trustees with the objection of the City Auditor, shall again be considered by such board, and if such demand be again approved as required in the first instance, the said objection by the City Auditor shall thereby be overruled. Any demand, the objection of the Mayor to which has been overruled, shall be delivered to the City Auditor, who shall have the same power and perform the same duties in reference thereto as if the same had been approved by the Mayor Any demand, the objection of the City Auditor to which has been overruled by the City Council, the Board of Education or Board of Library Trustees, as the case may be, shall be delivered to the City Auditor, who shall number and make a record of such demand as in the case of demands approved by him.

SEC 10. No demand can be approved by any board or officer, audited or paid, unless it specify each several item, with the date and amount thereof.

SEC. 11. No payment can be made from the city treasury, or out of the public funds of said city, unless the same be specially authorized by law or this charter, nor unless the demand which is paid be duly audited as in this charter provided The term "audited," as used in this charter with reference to demands upon the treasury, is to be understood to mean that said demands have been presented to, passed upon, and

approved by every officer and board of officers, as required by this charter, or the objections of the Mayor or City Auditor, or both, as the case may be, have been overruled, as herein provided, and this must appear upon the face of the paper representing the demand, or else it is not audited

SEC. 12. No demand shall be approved by the City Auditor in favor of any person or officer, or the assignee of any person or officer, who is indebted to the city, without first deducting the amount of such indebtedness, nor in favor of any officer having the collection, custody or disbursement of public funds who shall have failed to account to the city as required by law or this charter; nor in favor of any officer who shall have neglected to make his official returns or report in writing, in the manner and at the time required by law or this charter, or by the ordinances or regulations made in pursuance thereof; nor in favor of any officer who may have neglected or refused to comply with any of the provisions of this charter or ordinances of the city, or any Act of the Legislature regulating the duties of such officer, on being required in writing to comply therewith by the Mayor or the President of the Council; nor in favor of any officer for the time he shall have absented himself, without lawful cause, from the duties of his office during the office hours prescribed by this charter or by ordinance, and the City Auditor may examine any officer receiving a salary from the treasury, on oath, touching such absence.

SEC. 13 The City Auditor must number and keep a record of all demands on the treasury approved by him, or his objections to which have been overruled, showing the number, date, amount, and name of the original and present holder, on what account allowed, out of what fund payable, and by what officer or board it has been previously approved; and it shall be a misdemeanor in office for the City Auditor to deliver any demand with his approval thereon, or otherwise, until this requisite has been complied with.

SEC. 14 Every lawful demand upon the treasury, audited and allowed as in this charter required, shall in all cases be paid upon presentation, if there be sufficient money in the treasury applicable to the payment of such demand, and the demand canceled with a punch cutting the word "canceled" therein, and the proper entry thereof made If, however, there be not sufficient money so applicable, then it shall be registered in a book kept for that purpose by the Treasurer. Such register shall show the special number given by the Council or other authority, and also by the Auditor to each demand presented; also when presented, the date, amount, name of original holder, and on what account allowed, and against what appropriation drawn, and out of what specific fund payable. All demands shall be paid in the order of their registration. Each demand, upon being so registered, shall be returned to the party presenting it, with the indorsement of the word "registered," dated and signed by the Treasurer, but the registration of any demand shall not operate to recognize or make valid such demand, if incurred contrary to law or any of the provisions of this charter.

SEC. 15. Nothing in this article contained shall be construed as interfering with or preventing the payment by the City Treasurer of the bonded indebtedness of the city, and the interest coupons thereof, in accordance with the Constitution, laws, and ordinances authorizing the issuance of said bonds.

SEC. 16. Before any demand which originates in the fire, police, water, or park departments of the city government can be approved by the Council, it must first be approved by the Board of Commissioners having charge of such departments by a vote of at least three members thereof, and the approval of such Board of Commissioners, with the date of such approval, must be indorsed on such demand, and must be evidenced by the signature of the Mayor as the presiding officer of such board, and by the clerk of the said board.

SEC. 17. All public moneys collected by any officer, or employé of the city shall be paid into the city treasury, without any deduction on account of any claim for fees, commissions, or any other cause or pretense; and the compensation of any officer, employé, or other person so collecting money, shall be paid by demands on the treasury, duly audited as other demands are audited, and paid.

SEC. 18. No suit shall be brought upon any claim for money, or damages against the City of Pasadena, its Board of Education, or the Board of Library Trustees, until a demand for the same has been presented, as herein provided, and rejected in whole or in part.

ARTICLE 12.

REVENUE AND TAXATION.

SECTION 1. On or before the first Monday in July in each year the several heads of departments, offices, boards, and commissions shall send to the City Council an estimate in writing of the amount of expenditure, specifying in detail the object thereof, required in their respective departments, offices, boards, and commissions during the year Duplicates of these estimates shall be sent to the Auditor.

SEC. 2. On or before the first Monday of July of each year, the Assessor shall complete his list or assessment roll and shall attach his certificate thereto and deliver it and the books and maps he may have accompanying the same and all the original lists of property given to him to the City Auditor, and the Auditor shall thereupon notify the City Council, and the City Clerk shall thereupon notify the taxpayers of the fact and of the time the City Council will meet to equalize assessments, by publication of such notice in a daily newspaper published in the city, and in the meantime the assessment

roll, books, maps, and other papers accompanying the same must remain in the office of the City Auditor for the inspection of all persons interested.

SEC 3. The mode of making out assessment lists, of ascertaining the value of property and of equalizing the same, shall be such as is now or may hereafter be prescribed by the ordinances of the city

SEC. 4. The Council shall, at the time and in the manner required by the ordinances of the city relative thereto, sit and act as a Board of Equalization, and shall have as regards the equalization of said lists powers similar to those conferred by law upon the Board of Supervisors of Los Angeles County as a Board of Equalization of State and county taxes

SEC 5 The meetings of said Board of Equalization shall be public. The said board shall have power to increase or diminish the amount of any assessment on said lists, both as to real and personal property; *provided*, that before any such assessment shall be increased, due notice shall be given to the owner or owners of the property the assessed value of which shall be increased, and such owner or owners shall have the right to be heard before the board, under oath. When such assessment list or roll has been equalized it shall be returned by the Council to the Auditor

SEC. 6. On or before the first Monday in August in each year, the Auditor shall prepare and transmit to the Council an estimate of the probable expenditure of the city for the current fiscal year, giving the amount required to meet the interest and sinking funds for any outstanding funded debts together with the amounts needed for salaries and the wants of all the departments of the municipal government in detail, and showing specifically the amount necessary to be apportioned to each fund in the treasury. The estimate shall also show what amount of income and revenue is likely to be collected from fines, licenses, and all other sources of revenue exclusive of taxes upon property; and shall set forth the probable amount that will be required to be levied and raised by tax upon all property in the city to meet the requirements of such fiscal year.

SEC 7. The Council shall, annually between the fifteenth day of August and the twenty-second day of August and by a vote of a majority of all the members thereof, make a budget of the amounts estimated to be required to pay the expenses of conducting the public business of the city for the fiscal year. The budget shall be prepared in such detail as to the aggregate sum and the items thereof allowed to each department, office, board or commission as the Council may determine.

SEC. 8. The budget shall, when completed by the Council, be delivered to the Mayor, who may within five days after such delivery to him veto any item in said budget in whole or in part, and it shall require the vote of at least four members of the Council to overcome such veto. After the final estimate is made in accordance herewith, it shall be signed by the Mayor and the City Clerk and the several sums shall then be appropriated for the fiscal year to the several purposes and departments therein named. The estimate shall thereupon be filed in the office of the Auditor.

SEC. 9. The Council must cause to be raised annually according to law and collected by tax the amounts so appropriated less the amounts received from fines, licenses and other sources of revenue.

SEC 10. The Council may appropriate in the aggregate during each year not to exceed one thousand dollars for necessities not otherwise provided for by law, but no money shall be paid out of this appropriation unless authorized by a vote of at least four members of the Council and approved by the Mayor.

SEC. 11. The Council shall, before fixing the rate of the annual city tax, establish by ordinance separate funds representing the several funded obligations of the city, if any, and the several departments requiring municipal expenditures, including a general fund, and the percentage of the tax levy shall be named for each fund, and the whole amount of the taxes and revenue of the city apportioned accordingly, and no transfers shall be made, except of balances in excess of requirements or from the general fund to meet deficiencies in any fund, unless otherwise provided in this charter

SEC. 12 The Council shall, on or before the first Monday of September, in each year, by ordinance, fix the rate of taxes to be levied, and levy the tax upon all property, both real and personal, in the city necessary to raise sufficient revenue to carry on the various departments of the municipal government for the current fiscal year; *provided*, that the rate of taxes so levied shall not exceed, in any one year, one dollar for each one hundred dollars upon the assessment roll, exclusive of what may be necessary for the payment of the principal and interest of the bonded indebtedness of the city or for school purposes.

SEC 13. As soon as the City Council has fixed the rate of taxes for the year, the Auditor must complete, and enter in a separate column in the assessment book, the respective sums in dollars and cents, rejecting the fractions of a cent, to be paid on the property therein enumerated, and foot up the columns, showing the total amount of taxes, and on or before the fourth Monday in September he must deliver said corrected and completed assessment book to the City Tax Collector, and charge the Collector with the full amount of the taxes levied.

SEC 14. Every tax so levied shall have the force and effect of a judgment against the person and property taxed, and shall be and constitute a lien upon the real property situated in said city so assessed or owned by the party against whom such assessment is made. Every such assessment and the lien thereof shall have the force and effect of an execution duly levied upon all property owned by the party assessed, or by the unknown owner of such property when assessed to an unknown owner. The judgment shall not be satisfied nor discharged until the tax assessed against the property is paid, or the property sold for the payment thereof.

SEC. 15. The city shall have such other rights, claims and liens for the amount of such municipal taxes as may now or hereafter be given to or exercised by the people of the State of California for and on account of the assessment of State and county taxes levied in Los Angeles County. The mode and manner of collecting such municipal taxes, and enforcing such tax lien, and the proceedings thereafter, shall substantially be the same as the mode and manner at the time prescribed by law for the collection of State and county taxes in said county; *provided, however*, that the Council may, by ordinance, regulate the time or times and the method of the collection of said taxes within each fiscal year, and prescribe by what officer the respective duties appertaining to such collection and enforcement shall be performed. All such proceedings, sales, certificates and conveyances had, made, and executed by them in pursuance thereof, shall be of like force, effect and validity as is or may hereafter be given by law to like proceedings and acts in the matter of the collections of State and county taxes in said county.

SEC. 16. All sales for delinquent taxes shall be made to the City of Pasadena unless otherwise regulated by ordinance.

SEC. 17. The Council may, by an order entered upon its journal, extend for not exceeding thirty days the time fixed in this article for the performance of any act.

SEC. 18. All fines and forfeitures arising under the revenue and taxation laws as applied to the city, may, in civil cases, be recovered in the name of the city, and, together with all other moneys collected or received by any officer of the city, under said laws, shall be for the use of the city. When real estate is offered for sale for city taxes due thereon, the same shall be struck off and sold to the city in like case and in like manner, and with like effect as it may be struck off or sold to the State when offered for sale for State and county taxes, and the Council shall have the same powers and duties in relation to such property as are given by law to the State Board of Equalization in case of a sale to the State, but no certificate or receipt need be delivered to the State Controller.

SEC. 19. No officer shall be required to send or transmit any statement or report to any State officer or board.

SEC. 20. All papers and instruments required to be filed or recorded with or by the County Recorder by the revenue or taxation laws of this State, shall, under said laws as applied to the city, be, in like manner and with like effect, filed with and recorded by the County Recorder of Los Angeles County.

SEC. 21. Whenever the Council shall determine that the public interest requires the construction, or acquisition, or completion of any permanent municipal building, school building, high-school building, sewer, property, water right, bridge, or other public improvement, or utility, the cost of which, in addition to the other expenditures of the city, will exceed the income and revenue provided for in any one year, they may, by ordinance, submit a proposition to incur a debt for such purpose, and proceed therein as provided in section eighteen of article eleven of the Constitution of this State and general law or laws thereof; *provided*, that such indebtedness shall not bear more than five per cent interest per annum, and that no bond issue therefor shall be sold for less than par value and to the highest bidder, after advertising for sealed proposals therefor.

SEC. 22. It shall be the duty of the Assessor to collect the taxes on all personal property, when the owner of said property is not seized of real estate in said city sufficient to afford ample security for the collection of said taxes. In all such cases he shall be governed in fixing the amount of the tax by the rate of the tax levy for the preceding year.

SEC. 23. Immediately after fixing the assessment of such property he shall serve on its owner or owners a notice in writing, which shall certify the assessed valuation of the property, the rate of taxation, and the amount of tax payable, and contain a demand for the payment of said tax within three days after the service of said notice. Said notice shall be served personally, or by leaving a copy of the same at the last known place of residence of the person whose property is so assessed. Upon the expiration of said three days after such service, if the tax demanded still remains unpaid, or payment thereof be not secured to the satisfaction of the City Attorney and City Assessor, the Assessor shall forthwith proceed to collect the same by seizure of any personal property owned by the delinquent.

SEC. 24. The said sale shall be made by him in the manner provided in sections thirty-seven hundred and ninety-one, thirty-seven hundred and ninety-two, thirty seven hundred and ninety-three, thirty-seven hundred and ninety-four, thirty-seven hundred and ninety-five, and thirty-seven hundred and ninety-six of the Political Code of the State of California; *provided*, that the newspaper referred to in section thirty-seven hundred and ninety-two shall be published in the City of Pasadena.

SEC. 25. As soon as the rate is fixed for the year in which such collection is made, if it be found that a sum in excess of said rate has been collected, the excess must be repaid in the same manner as other demands against the city are paid, to the person from whom the collection was made, or his assigns. And if a sum less than the rate fixed has been collected, the deficiency must be collected as other taxes on personal property are collected.

SEC. 26. Should the Board of Equalization reduce the valuation for the same year of the property so assessed, the sum collected in excess of said reduced valuation must be repaid in like maner, to the person from whom the collection was made, or to his assigns. And if the valuation of said property should be increased by said board, then the deficiency must be collected as other taxes on personal property are collected.

SEC. 27. The Assessor shall carefully note upon his assessment list, and also in a book to be kept by him for the purpose, all collections made by him under this section, and shall turn over to the City Treasurer all money received immediately upon its receipt.

SEC 28 In case the Assessor shall fail to demand, and through his fault to collect, any and all taxes which by this section he is directed to collect, he shall be and become personally liable to the city for the amount of said delinquent taxes, with interest from the date of their assessment; and the Council is authorized and directed to cause proper action or actions at law to be brought against said Assessor and the sureties on his official bond to recover the same

ARTICLE 13.

FRANCHISES.

SECTION 1. No exclusive franchise or privilege and no special privilege shall be granted for any purpose.

SEC. 2. No application for a franchise shall be considered by the Council unless the application shall be accompanied with the sum of three hundred dollars which sum shall be returned to the applicant in the event that the City Council shall determine that neither the public necessity nor the public interest requires the granting of the franchise. If, however, the City Council shall determine that the public necessity or the public interest requires the granting of the franchise, then the said sum of three hundred dollars shall be retained by the city in full for all costs of advertising and other preliminary expenses connected with the offering for sale of such franchise and the granting of the same.

SEC. 3. In granting a franchise the City Council shall impose such lawful conditions, restrictions and limitations as may best subserve the public interest and welfare

SEC 4 In the granting of franchises the city and City Council shall be governed by the general law of the State in force at the time, which is hereby declared to be, and is hereby made, a part of this charter, so far as it is or may be applicable to the class of cities to which this municipality may belong

SEC. 5. No franchise for the operation of any street railroad along or upon any street or portion of a street which has, by the City Council, been set apart and dedicated as a boulevard, shall be granted by the City Council unless the owners of a majority of the frontage of the property fronting on such boulevard shall file with the Council a petition asking that such franchise be granted.

ARTICLE 14

ALCOHOLIC LIQUORS

SECTION 1. No person either as principal, agent, servant or employé, shall open, establish, keep, maintain or carry on within the corporate limits of Pasadena, any tippling-house, dramshop, cellar, saloon, bar, bar-room, sample-room or other place where spirituous, vinous, malt or other alcoholic liquors, are sold or given away, *provided*, that this section shall not apply to hotels, boarding-houses or restaurants furnishing vinous or malt liquors to guests or customers in connection with and as a part of a regular meal under such restrictions and regulations as may be adopted by the Council, *and provided further*, that this section shall not apply to the sale of such liquors by regularly licensed druggists upon the written prescription of a practicing physician regularly licensed to practice his profession in the State of California, nor to the sale by such druggists of alcohol for mechanical or scientific uses.

SEC. 2. Any person violating section one of this article shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars and not less than one hundred dollars, or by imprisonment for not more than six months, or by both such fine and imprisonment in the discretion of the court in which such conviction is had.

ARTICLE 15

JUDICIAL DEPARTMENT.

SECTION 1. There is hereby created and established in and for the City of Pasadena a Police Court, which is hereby vested with the judicial power of the city.

SEC. 2 The Police Court shall be presided over by a judge, who shall be appointed by the Mayor and his appointment confirmed by the Council, and who may be removed by the Mayor at any time with the consent of the Council

SEC. 3 The Judge of the Police Court shall be a citizen of the State, and shall have been a resident and qualified elector of the city for the three years next preceding the day of his appointment He shall have been duly admitted to practice as an attorney at law by the Supreme Court of the State of California, and shall have been actually engaged in the practice of the profession of law for a period of five years next preceding his appointment.

SEC 4 The said Police Court shall have jurisdiction of the following offenses committed within the corporate limits of the said city:

First—Petit larceny.

Second—Assault or battery not charged to have been committed upon a public officer

in the discharge of his duties, or to have been committed with such intent as to render the offense a felony.

Third—Breaches of the peace, routs, riots, affrays, committing a willful injury to property, and all misdemeanors punishable by fine not exceeding five hundred dollars or imprisonment not exceeding six months, or by both such fine and imprisonment.

The said police court shall have exclusive jurisdiction:

First—Of all proceedings for the violation of any ordinance of the city, both civil and criminal.

Second—Of any action for the collection of any taxes or assessments levied for any city purposes when the amount of the tax or assessment sought to be collected against the person assessed is less than three hundred dollars, but no lien upon the property taxed or assessed for the non-payment of the taxes or assessments can be foreclosed in such action.

Third—Of any action for the collection of money payable to the city or from the city to any person, when the amount sought to be collected, exclusive of interest and costs, is less than three hundred dollars.

Fourth—For the breach of any official bond given by any city officer, and for the breach of any contract, and any action for damages in which the city is a party, and upon all forfeited recognizances given to or for the benefit or in behalf of the city, and upon all bonds given upon any appeal taken from the judgment of the court in any of the cases above named, where the amount claimed, exclusive of costs, is less than three hundred dollars.

Fifth—For the recovery of personal property belonging to the city when the value of the property, exclusive of the damages for the taking or detention, is less than three hundred dollars

SEC. 5. In the exercise of his jurisdiction the Police Judge may punish persons guilty of contempt of court and may issue warrants of arrest, subpœnas, venires, executions and all other process necessary and proper and may administer oaths.

SEC. 6 In all cases in which the Judge of the Police Court is interested, or in which he is related to a party to the action or proceeding either by consanguinity or affinity within the third degree, and in case of his absence, sickness or inability to act, any Justice of the Peace of the County of Los Angeles may, at the written request of the Judge, act in his place and stead.

SEC. 7. The Judge of the Police Court shall keep a record of the proceedings of the Police Court in all matters and cases before said court, and shall pay weekly into the city treasury all fines and other money received by him belonging to the city. He shall, on the first Monday of each month, file with the Auditor an exact and detailed account in writing, under oath, of all fines imposed and collected, and of all fines imposed and not collected, and of all other moneys collected by him for or on behalf of the city.

SEC 8. The city shall furnish a suitable room for said Police Court, and shall also furnish the necessary dockets and blanks for the use of said court

SEC. 9. All fees received or collected by the said court shall be the property of the city.

SEC. 10. The rules of practice and mode of proceeding in the Police Court shall be the same as are, or may be, prescribed by law for justices' courts in like cases; and appeals may be taken to the Superior Court of the county from all judgments of said Police Court in like manner, and with like effect as in cases of appeals from justices' courts.

ARTICLE 16.

DEPARTMENT OF EDUCATION.

SECTION 1 The School Department of the said city shall comprise all the schools within the City of Pasadena, or within the territory that is now, or may hereafter be, annexed thereto for school purposes, and shall be known as the Pasadena City School District, which shall succeed to all the property, rights and privileges of the former Pasadena city school district, and shall consist of primary, grammar, and high schools, as now established, and kindergartens, and may, at the discretion of the Board of Education, include technical or industrial schools and night schools; *provided*, that no school money shall be used for technical or industrial schools or night schools when such use will prevent the board from maintaining free kindergarten, primary, grammar, and high schools for nine months in each year.

SEC. 2. The government of the schools of the said district is hereby vested in a Board of Education consisting of five members to be elected from the school district at large, who shall serve without compensation.

The members of this board shall be elected on the first Friday in June, following the first and each subsequent regular election held under this charter, and shall hold office for the term of four years, and until their successors are elected and duly qualified; *provided, however*, that said members so elected at the first election of members of the Board of Education held after the adoption of this charter shall so classify themselves by lot that the term of two of them shall be for two years, and of three for four years, and thereafter alternately, on the first Friday in June following the regular municipal election, there shall be elected, respectively, two and three members of said Board of Education.

The officers of the election for members of the Board of Education shall receive the sum of three dollars each as compensation for their services.

In all other matters the election for members of the Board of Education shall be governed by the general law of the State regulating elections for trustees in school districts.

SEC 3. The Board of Education shall enter upon the discharge of their duties on the first Monday in July after their election, and the board shall meet upon said day and annually thereafter, 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 time and place as may be determined by their rules. Special meetings may be called by the president or by written request of any three members No business shall be transacted at such special meeting that has not been distinctly stated in the call. A majority of the members shall constitute a quorum, but an affirmative vote of at least three members shall be necessary to pass an order or elect teachers The sessions of the board shall be public, and its minutes open to inspection. The board may determine the rules of its proceeding, and the ayes and noes shall be taken and recorded when demanded by any member, and entered on the records of the board Any vacancy occurring on the board shall be filled by the remaining members of the board, and if there be no members, then by the City Council.

SEC. 4. 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 and dismiss teachers, janitors, school census marshals, and such other persons as may be necessary to carry into effect the powers and duties of the board and to fix, alter, and allow, and order paid their salaries or compensations, 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

Fourth—To make and enforce all necessary rules and regulations for the government and progress of the public schools, and to carry into effect the laws relative to education

Fifth—To establish and regulate the grade of schools and determine the courses of study, the mode of instruction, and what text-books, other than those published by the State, shall be used in said schools

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 and personal property that may have been or may hereafter be acquired for the use and benefit of the public schools of the said district.

Ninth—To grade, fence, and improve all school lots.

Tenth—To sue or defend suits when necessary in administering the affairs of the school department, and to require the services of the City Attorney therefor, without compensation, in all such cases.

Eleventh—To prohibit any child under six years of age from attending the public schools, except where kindergartens are established, and to fix the age, not less than four years, at which they may attend the kindergarten schools.

Twelfth—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

Thirteenth—To furnish books for children whose parents are unable to furnish them; and all books so furnished shall belong to the school district and shall be kept in the libraries of the schools when not in use.

Fourteenth—To visit every school in the district at least once in each term, and examine carefully into its management, condition and wants.

Fifteenth—To dispose of at public or private sale such personal property as shall be no longer required by the department, and when directed by the qualified electors of the district, at a meeting duly called for that purpose, to dispose of any real property belonging to the district, and no longer necessary or convenient for its use, and to make, in the name of the district, conveyances of all real property sold under the provisions hereof.

School Meetings

Sixteenth—The Board of Education may, and upon a petition signed by a majority of the heads of families residing in the district, as shown by the last preceding school census, must call meetings of the qualified electors of the district for determining or changing the location of one or more school-houses, or for consultation in regard to any litigation in which the district may be engaged, or in regard to any affairs of the district.

Such meetings shall be called by posting three notices in public places in the district, one of which shall be in a conspicuous place on what is known as the Wilson School Building, for not less than ten days previous to the time for which such meeting shall be called, which notice shall specify the purposes for which said meeting shall be called; and no other business shall be transacted at such meeting

District meetings shall be organized by choosing a chairman from the electors present, and the District Clerk shall be the clerk of the meeting, and shall enter the minutes thereof on the records of the district.

A meeting so called shall be competent to instruct the Board of Education:

1. In regard to the location or change of location of one or more school-houses, and the use of the same for other than school purposes.

2. In regard to the purchase and sale of school sites, or other real property of the district.

3. In regard to prosecuting, settling or compromising any litigation in which the district may be engaged, or be likely to become engaged.

The Board of Education shall, in all cases, be bound by the instructions of the district meeting in regard to the subjects mentioned in this section.

Seventeenth—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 City Council This report shall specify the proper items of the amount of money required in addition to State and county school money to maintain grammar and primary schools, the amount required for the high school, and the amount required for such other public schools of the district as are then established, and what will be required to pay all fixed and incidental expenses, including the cost of erecting new buildings and of repairing, enlarging, or improving old ones.

The City Council is hereby authorized and required to levy and collect as school tax the amount reported 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 of the said school district When the amount reported exceeds the sum of fifteen cents on each one hundred dollars valuation, as shown by the assessment roll of the said district, the Mayor and the City Council may, in their discretion, levy and collect as a tax a sum not to exceed twenty-five cents on the one hundred dollars valuation, as shown by the said assessment roll, but there shall be levied and collected not less than fifteen cents on the hundred dollars valuation, as shown by the said assessment roll.

Eighteenth—The Board of Education may, prior to the fifteenth day of August in any year, when in their judgement it is advisable, call an election and submit to the electors of the district the question whether a tax shall be raised to furnish additional school facilities for the district, or to maintain any school in such district, or for building one or more school-houses, or for any or all of these purposes. Such election shall be called and moneys employed in accordance with the general laws of the State governing elections for district school tax.

Nineteenth—The Board of Education may, when in their judgment it is advisable, and must, when petitioned by a majority of the heads of families residing in the district, call an election and submit to the electors of the district whether the bonds of such district shall be issued and sold 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 and necessary apparatus, and improving the grounds, and for liquidating any indebtedness already incurred for such purposes

Twentieth—All moneys collected for school purposes by the provisions of this charter shall be paid into the city treasury, to be disbursed upon the proper demands signed by the president and clerk of the Board of Education and approved by the City Auditor

Twenty-first—All demands payable out of the school fund shall be filed with the clerk of the board and shall be approved by the Board of Education by a vote of three members thereof taken with the ayes and noes and spread on the minutes, and the action of said board indorsed on said demand and signed by the presiding officer and the clerk thereof

SEC 5 The Board of Education shall, at the first meeting in each year, or at such other time as shall be fixed by the board, appoint a clerk, who may or may not be one of their own number, and shall prescribe the duties and fix the salary of such clerk.

SEC 6 The Board of Education may, at its discretion, appoint a Superintendent of Schools, and prescribe the duties and fix the salary of such superintendent.

SEC. 7 In all matters not specifically provided for in this charter the board shall be governed by the provisions of the general law relative to such matters.

ARTICLE 17.

PUBLIC LIBRARY.

SECTION 1. The public library and the reading rooms connected therewith shall be under the control and management of a Board of Library Trustees, consisting of five members, four of whom shall be appointed by the Mayor and their appointment confirmed by the Council; each of the four thus appointed shall be at least thirty years of age and shall have been a resident of the city for a period of three years next preceding his or her appointment The fifth member of the board shall be the Mayor, who shall be the presiding officer of the board Those members of the board first appointed under this charter shall so classify themselves by lot that one shall go out of office at the end of one year, one at the end of two years, one at the end of three years, and one at the end of four years; thereafter their successors shall hold office for four years and until their successors are appointed.

SEC. 2. The City Council shall, at the request of the Board of Library Trustees, in making the annual tax levy, and as a part thereof, if the maintenance of the library is not otherwise provided for, levy a sum of not less than five cents nor more than fifteen

cents on the hundred dollars assessed valuation for the purpose of maintaining said library and reading rooms and purchasing books, journals, periodicals, and other supplies therefor.

SEC. 3. If payment into the city treasury of any money or property derived by donation or bequest would be inconsistent with the conditions or terms of such donation or bequest, the Board of Trustees shall provide for the safety and preservation of the same and the application thereof to the use of such library in accordance with the terms and conditions of such donation or bequest.

SEC 4 The title to all property, real or personal, now owned or hereafter acquired by purchase, donation, bequest or otherwise, for the purposes of said library, when not inconsistent with the terms of this acquisition, shall vest and be and remain in said city, and in the name of said city may be used for or defended by action at law or otherwise

SEC 5. The board shall meet at least once each month, and a majority shall constitute a quorom for the transaction of business, but a less number may adjourn from time to time. It shall elect one of its members secretary, who shall keep the minutes of the board and shall keep a full record of all its business transactions He shall serve for one year and until his successor is elected.

SEC 6 The 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 the library, reading-rooms, and all property belonging thereto.

Second—To administer any trust declared or created for such library or reading-rooms and to provide memorial tablets and niches to perpetuate the memory of any persons who make donations or bequests thereto

Third—To purchase books, journals, publications, and other supplies and personal property for the use of the said library

Fourth—To appoint a Librarian and such other employés as may be necessary to properly conduct the said library and the reading-rooms connected therewith, to dismiss the Librarian or any other employé of the said library, to prescribe the duties and authority of the Librarian and employés and to fix their compensation.

Fifth—To do all that may be necessary to carry into effect the provisions of this charter with reference to said library

SEC. 7. The members of the Board of Library Trustees appointed as in this charter provided shall receive no compensation for their services.

ARTICLE 18.

HEALTH DEPARTMENT

SECTION 1 The Board of Health shall consist of five members, four of whom shall be appointed by the Mayor and their appointment confirmed by the Council; each of the four thus appointed shall be at least thirty years of age, a citizen of the State, and shall have been a resident and qualified elector of the city for a period of three years next preceding his appointment, and three of the four thus appointed shall be practicing physicians who shall have practiced their profession for at least three years preceding the day of their appointment. The fifth member of the board shall be the Mayor, who shall be the presiding officer of the board. Those members of the board first appointed under this charter shall so classify themselves by lot that one shall go out of office at the end of one year, one at the end of two years, one at the end of three years and one at the end of four years; thereafter their successors shall hold office for four years and until their successors are appointed

SEC. 2. Three of the members of the board shall constitute a quorum for the transaction of business.

SEC 3. The board shall at its first meeting and annually thereafter appoint one of its members, who is a practicing physician, as secretary of the board. The secretary shall be ex officio health officer of the city

SEC. 4 The Board of Health shall have supervision of all matters pertaining to the sanitary condition of the city and the public institutions thereof, and full powers are hereby given to the board over all questions of defective drainage, the disinfection and sanitary cleaning of all public and private places, and the abatement of all nuisances prejudicial to the health of the citizens, or any of them. The board shall exercise a general supervision over and be the custodian of all death and cemetery records now owned or hereafter acquired by the city, and shall cause to be kept in books prepared for that purpose complete records of all deaths and births occurring in said city They shall adopt such forms and regulations for the use of physicians and undertakers as in their judgment may be best calculated to secure reliable vital and mortality statistics in said city, and prevent the spread of contagious and infectious diseases They shall have the power to prevent or forbid communication with infected families or houses, and, with the consent of the Mayor, may provide the necessary attendants and supplies for any pesthouse which may be in use

SEC 5. The City Council shall, by ordinance or otherwise, provide for enforcing such orders and regulations as the Board of Health may from time to time adopt; and all expenses necessarily incurred by the Board of Health in carrying out the provisions of law and this charter shall be provided for by the Board of Trustees, who are hereby authorized and directed to make an appropriation therefor out of the general fund.

SEC. 6. The Secretary shall see that the laws and ordinances of the city in relation to the public health and the regulations and orders of the Board of Health are properly enforced. He shall keep a full record of all the transactions of the Board of Health, as well as all records pertaining thereto, and issue all permits for burials, cremations or removals in or from any of the cemeteries of the city, and no interments or cremations shall be made therein, unless said Health Officer is satisfied of the correctness and reliability of the certificate of death, presented for his inspection. He shall have the power of a police officer, and shall make an extended annual report to the Board of Health of the affairs pertaining to his office, including mortuary and other statistics, with such observations and recommendations in relation to the sanitary conditions of the city as he may deem proper

SEC. 7. The Health Officer shall visit, once in each quarter, all public buildings and school-houses in said city. During such visit he shall examine the manner in which they are lighted, ventilated and heated, and particularly as to their sanitary condition.

The Health Officer shall promptly report in writing to the superintendents or governing authorities of all schools, the name and residence of every person sick with cholera, smallpox, scarlatina, diphtheria, or any contagious or infectious disease. Said superintendents, when so notified, must refuse admittance to the schools of any member of the household, one or more of whose inmates are sick from any of the aforesaid diseases The person excluded shall be admitted on presenting a certificate from his or her attending physician, countersigned by the Health Officer, or from the Health Officer, that there is no longer any danger from contagion. When a case of contagious disease is reported to the Health Officer, he may visit the premises where the person is, and when satisfied that said disease exists, he shall place a flag or conspicuous notice on said premises, which shall remain during the continuance of the disease on said premises.

The Health Officer may cause to be removed to a smallpox hospital any person in said city affected with smallpox. When a case of smallpox exists in any house, and the person so affected is not removed to said hospital or pesthouse, the Health Officer shall immediately place a quarantine flag on said premises, and may place a competent person in charge thereof, who shall see that a quarantine is strictly enforced so long as public safety requires.

Every member of the Board of Health may administer oaths on matters connected with the Health Department.

SEC 8. The Health Officer shall receive such compensation as may be fixed by the City Council The other members of the board, appointed as in this charter provided, shall receive no compensation for their services.

ARTICLE 19.

ELECTIONS

SECTION 1 Elections to be held in the city shall be either general or special.

SEC. 2 On the first Monday of April, nineteen hundred and one, and biennially thereafter, there shall be held in the city a general municipal election, at which shall be elected by the electors of the city the elective officers, provided for by this charter, who shall take office at noon on the first Monday of May after their election The provisions of this section shall not apply to the members of the Board of Education, whose election is provided for in article sixteen of this charter.

SEC. 3. The provisions of the general law of the State governing municipal elections, where the same are held separate from the general State elections, are hereby adopted as the law governing city elections.

SEC. 4. The conduct and carrying on of all city elections shall be under the control of the City Council, and the Mayor and City Council shall, by ordinance, provide for the holding of all city elections, and may district and subdivide the municipality into municipal election precincts for the holding of municipal elections, and change and alter such precincts and redistrict the municipality for such elections as often as occasion may require Unless the boundaries of the precincts shall be changed, as herein provided, they shall remain as fixed for the election of State and county officers at the last general election preceding the city election

SEC. 5 At all city elections each of the election officers shall receive three dollars for his services.

SEC 6. The provisions of the general laws of the State governing elections for State and county officers, not inconsistent with the provisions of this charter, shall govern city elections in matters for which no provision is made in this charter, and the City Council and City Clerk respectively shall exercise the powers and perform the duties conferred or imposed by such laws on Boards of Supervisors and County Clerks concerning elections.

SEC 7. Every person who resides within the exterior boundaries of any of the municipal election precincts of the city at the time of the holding of any municipal election, and who was a qualified elector at the general State election immediately preceding such municipal election, and who, at the time of the holding of such general State election, was upon the Great Register of the County of Los Angeles as a qualified elector of any of the precincts which comprise such municipal election precinct, shall be entitled to vote at such municipal election without other or additional registration

SEC. 8. All other persons claiming the right to vote at such municipal election must

be registered upon the Great Register of the County of Los Angeles as an elector of and within one of the precincts comprising the municipal election precinct wherein he claims the right to vote, at least twenty-five days prior to such municipal election, and must reside within the exterior boundaries of such municipal election precinct at the time of the holding of such municipal election.

SEC 9 The election returns from each municipal election precinct shall be filed with the City Clerk, who shall immediately place them in the safe or vault in 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 City Council. After having been canvassed, they shall be sealed up and kept by the City Clerk for six months, and no person shall have access to them, except on the order of a court of general jurisdiction.

SEC 10. On the first Monday after the election and at their usual time and place of meeting, the City Council shall meet and canvass the returns and declare the result.

SEC 11. 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 therefor and serve the same by depositing such certificate, with the postage prepaid, in the United States postoffice in Pasadena, addressed to the person elected or appointed, and such person must, within ten days after receiving such certificate, file his official bond, if a bond is required of him by this charter or the ordinances of the city, and take and subscribe to the oath of office required of him by this charter, which oath must be filed with the City Clerk.

ARTICLE 20.

MISCELLANEOUS PROVISIONS.

SECTION 1. In all cases where lands in the city shall hereafter be subdivided and laid out into blocks or lots, streets, and alleys or when new streets, alleys, or public places are laid out, opened, donated, or granted to the public, the map or plat thereof shall be submitted to the Council and the City Engineer for their approval, and if such Council and Engineer approve the same, such approval shall be indorsed upon said map or plat, the approval of the Council being evidenced by the certificate of the clerk thereof, and no street, alley, or public place hereafter opened and by such map or plat dedicated as such, shall become or be accepted by the Council as a public street, alley, or place or be subject to any public improvement, without such approval and endorsement.

SEC 2. No Councilman or other city officer or employé shall be interested, directly or indirectly, in any contract in which the city is a party or which is made by any officer of the city in behalf of the city. And any such contract in which such Councilman, officer or employé is interested shall be void. Any violation of this section by any such Councilman, officer or employé shall be a misdemeanor and be punishable as such and upon conviction, the office of such Councilman, officer or employé shall be declared vacant by the Council. And such vacancy shall be filled as is herein provided for the filling of other vacancies.

SEC. 3. No recourse shall be had against the City of Pasadena for damage or loss to person or property suffered or sustained by reason of the defective condition of any sidewalk, street, avenue, lane, alley, court or place, or by reason of the defective condition of any sewer, or by reason of any defective drainage, whether any of said defects originally existed, or whether they were occasioned by construction, excavation or embankment; nor shall there be any recourse against the city for want of repair of any sidewalk, street, avenue, lane, alley, court or place, or for want of repair of any sewer, nor shall there be any recourse against the city for damage to person or property suffered or sustained by reason of accident on any sidewalk, street, avenue, lane, alley, court or place, or by the falling from any embankment thereon or into any excavation therein; but in any such case the person or persons on whom the law may have imposed the obligation to repair such defect in the sidewalk, street or public highway, or in the sewer, and also the officer or officers through whose official negligence such defect remains unrepaired shall be jointly and severally liable to the party injured for the damages sustained.

SEC 4. In any action, suit, or proceeding in any court concerning an assessment of property or levy of taxes authorized by this charter, or the collection of such taxes, or in the proceedings consequent thereon, such assessment, levy, consequent proceeding, and all proceedings connected therewith, shall be presumed to be regularly and duly done or taken until the contrary is shown; and when any proceeding, matter, or thing is by this charter committed or left to the discretion of the Mayor or Council, or other authorities of the city, such discretion or judgment, when expressed or declared, is final, and cannot be reviewed or called in question elsewhere.

SEC 5. In all prosecutions for violations of city ordinances, rules or other regulations, whether in the court of original jurisdiction or in any appellate court, it shall not be necessary to plead the contents of such ordinance, rule or regulation, but the court before which the prosecution is pending shall take judicial notice of such ordinance, rule, or regulation, and of the contents thereof; and in any civil action in which the city is a party either as plaintiff or defendant the adoption and contents of any ordinance, rule, or regulation of said city may be prima facie proven by the introduction of the original entry thereof on the journal of the proceedings of the Council, or by a copy of such entry certified to by the City Clerk under the seal of the city to be a full, true, and correct copy of such original entry.

SEC. 6. The fiscal year of the city shall begin on the first day of July of each year and end on the thirtieth day of June following.

SEC. 7. All ordinances and resolutions of the city and all regulations or rules prescribed by or for the government of any of its departments, officers, or employés, which are in force at the time of the taking effect of this charter and which are not inconsistent therewith, shall continue in force until altered, amended, or repealed.

SEC. 8. All rights, actions, proceedings, prosecutions, and contracts of the city or any of its departments or officers in progress, begun, or in existence at the time of the taking effect of this charter, and not inconsistent therewith are hereby preserved, and shall continue to be valid and the same shall be enforced, continued, or completed in all respects as though vested or begun hereunder.

SEC. 9 In all matters pertaining to municipal affairs, concerning which special provision is not made in this charter, the general laws of the State in force at the time are hereby declared to be, and shall be, a part of this charter so far as the same are or may be applicable to the class of cities to which this municipality may belong.

SEC. 10. Whenever the word "city" occurs in this charter it means the City of Pasadena, and whenever any department, board, or officer is mentioned in this charter it means such department, board, or officer, as the case may be, of the City of Pasadena

SEC. 11. The Board of Trustees of the City of Pasadena, in office at the time this charter is approved by the Legislature, shall provide for the holding of the first election of officers under this charter, shall canvass the votes, declare the result, and approve the bonds of all officers elected at such election

SEC. 12. The officers of the city in office at the time of the approval of this charter by the Legislature shall continue to hold office and discharge their duties until the first Monday in May, nineteen hundred and one The School Trustees of the Pasadena City School District in office at the time of the approval of this charter by the Legislature shall continue to hold office and discharge their duties until the election and qualification of the members of the first Board of Education elected under this charter.

SEC 13. No person shall be appointed to, or removed from, any office under this charter because of his political or religious opinions In making appointments the appointive power shall consider only the good of the public service and the fitness of the appointee for and his ability to discharge the duties of the office to which he is appointed.

SEC 14. This charter shall go into effect for all election purposes on the day of its adoption by the Legislature, and for all other purposes, unless otherwise herein provided, on the first Monday of May, nineteen hundred and one.

ARTICLE 21.

AMENDMENTS.

SECTION 1. This charter may be amended at intervals of not less than two years, by proposals therefor, submitted by the City Council to the qualified electors of the city, at a general or special election held at least forty days after the publication of such proposals for twenty days in a daily newspaper of general circulation in such city, and ratified by at least three fifths of the qualified electors voting thereat, and approved by the Legislature, as provided in the Constitution of the State of California for the approval of this charter in the first instance. In submitting such proposals alternative propositions may be presented for the choice of the voters, and may be voted on separately without prejudice to the others

SEC 2. The proposals for the amendment of this charter referred to in the preceding section may be submitted by the City Council on its own motion, but must be submitted by the City Council in the manner provided in said section, whenever a petition is presented to such Council, signed by a number of the qualified electors of the city equal to thirty per centum of the votes cast at the preceding general city election, asking that an amendment or amendments to this charter to be set out in such petition be submitted to the vote of the electors of the city. The signatures to the petition need not all be appended to one paper, but each signer shall add to his signature his place of residence, giving the street and number. One of the signers of each paper shall make oath, before an officer competent to administer oaths, that the statements made therein are true and that each signature to such paper appended is the genuine signature of the person whose name purports to be thereto subscribed.

SEC. 3. The City Council must make all necessary provisions for submitting the proposed amendment or amendments to the electors, and shall canvass the votes in the same manner as in other elections

SEC 4. The tickets used at such elections shall contain the words "For the amendment" (stating the nature of the proposed amendment) and "Against the amendment" (stating the nature of the proposed amendment).

CERTIFICATE.

WHEREAS, The City of Pasadena, a city containing a population of more than three thousand five hundred inhabitants, did, on the eleventh day of May, A D. 1900 at a special election, and under and in accordance with the provisions of section eight, article eleven, 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, the said Board of Freeholders has prepared and does propose the foregoing articles signed in duplicate, as and for the charter of the said City of Pasadena.

IN WITNESS WHEREOF, we have hereunto set our hands at the City of Pasadena, in the State of California, this sixth day of August, A. D. 1900.

A. R. METCALFE, President.
NORMAN BRIDGE.
JAS. D. GRAHAM, Sec'y.
B. F. BALL.
FRANK P. BOYNTON.
THOMAS EARLEY.
DELOS ARNOLD.
FRED R. HARRIS.
M. E. WOOD.
J. D NASH.
JOHN McDONALD.
CYRUS M. DAVIS.
FRANK S. WALLACE.
ROBERT EASON,

STATE OF CALIFORNIA, }
COUNTY OF LOS ANGELES, } ss.
CITY OF PASADENA. }

I, Heman Dyer, Clerk of the City of Pasadena, do hereby certify that the foregoing is a full, true and correct copy of the proposed charter for the City of Pasadena, prepared and proposed by a duly qualified Board of Freeholders, duly elected on the eleventh day of May, A D nineteen hundred; and that a copy of said charter was duly filed with the President of the Board of Trustees of the City of Pasadena on the eighth day of August, A D. nineteen hundred, said copy having been duly signed by a majority of the members of such board, to wit: fourteen of said members; and that another copy of said charter, signed by a majority of said board, to wit: fourteen members thereof, was on said eighth day of August, A. D. nineteen hundred, duly filed with the Recorder of the County of Los Angeles, that thereafter said proposed charter was duly published in two daily newspapers of general circulation in said City of Pasadena for at least twenty days, and the first publication thereof was made within twenty days after the completion of the said charter, and that within not less than thirty days after such publication, said charter was duly submitted to the qualified electors of said city at a special election called therefor, said election being held on Tuesday, the twentieth day of November, A D. nineteen hundred, and that at said election a majority of such qualified electors voting thereat duly ratified the same. And I further certify that said City of Pasadena is a city containing a population of more than three thousand five hundred inhabitants.

In witness whereof, I have hereunto set my hand and affixed the corporate seal of the City of Pasadena, this tenth day of January, A. D. nineteen hundred and one.

HEMAN DYER,
[SEAL] Clerk of the City of Pasadena.

Read, and the roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Cromwell, Duryea, Feliz, Fisk, Foster, Gans, Greer, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, John, Knight, Knowland, Levinson, Macbeth, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Treadwell, and Walker—48.

NOES—Messrs. Brown of San Francisco, Cavagnaro, Collins, Cowan, Evatt, Guilfoyle, Haley, Hourigan, Hubbard, Laird, McLoughlin, Ray, Reeber, and Sheridan—14.

At eleven o'clock and fifteen minutes A. M., the Speaker resumed the chair.

SECOND-READING FILE.

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa County Jail, in August, 1897.

Read second time.

Assembly Bill No. 24—An Act making an appropriation to pay the

claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments.

Read second time.

Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

Read second time.

MOTION.

Mr. Johnson 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. 21, 24, and 81.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 21, 24, and 81 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 21—An Act to appropriate the sum of $455 38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa County Jail, in August, 1897—and do now report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 24- An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments.

Also: Assembly Bill No 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

And do now report the same back, and recommend that they do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa County Jail, in August, 1897.

The following committee amendments were submitted:

AMENDMENT No 1.

Amend by striking out of title the words "in defending prisoners from mob in the Colusa County Jail," and inserting in lieu thereof the following: "at Colusa, Cal."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "in defending and guarding a prisoner from mob violence at the Colusa County Jail," in lines seven and eight of printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "immediately," in section three, and inserting in lieu thereof the following: "and be in force July 1, 1901."

Amendment adopted.

Assembly Bill No. 21 ordered to print, engrossment, and third reading.

Assembly Bills Nos. 24 and 81 ordered to engrossment and third reading.

Assembly Bill No. 22—An Act to amend Section 2 of an Act entitled "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 purpose aforesaid; making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 90—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, ordered to engrossment and third reading.

Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution by whatever name the same may now or hereafter be known, under conviction of a penal offense, on a Monday.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 181—An Act amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out all of lines one, two, and three, and insert in lieu thereof the words "Section 1. Section 1570 of the Penal Code is hereby amended so as to read as follows."

Amendment adopted.

AMENDMENT No. 2.

Insert after the word "fines," in line six of the printed bill, the words "and forfeitures."

Amendment adopted.

Assembly Bill No. 181 ordered to print, engrossment, and third reading.

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Read second time.

The following committee amendments were submitted:

AMENDMENT No 1.

Amend by inserting after the word "crab," in line nineteen, page two, printed bill, the words "or any abalone shells, or abalone, the shell of which shall measure less than fifteen inches around the outer edge of the shell."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "one" in line thirteen, page two, and insert in its stead and place the word "one-half."

Amendment adopted.

Assembly Bill No. 252 ordered to print, engrossment, and third reading.

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding the word "other" between the words "any" and "incorporated," in line eight, first page, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "city or town" in line eight, first page, printed bill, and inserting in lieu thereof the following: "cities or towns."

Amendment adopted.

AMENDMENT No. 3.

Amend by adding the word "other" between the words "any" and "incorporated," in line twenty-six, second page, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the words "city or town," in line twenty-seven, second page, printed bill, and inserting in lieu thereof the following: "cities and towns."

Amendment adopted.

AMENDMENT No. 5.

Amend by adding the words "this Act to be in full force and effect from and after its passage" after the word "force," in line forty-five, second page, printed bill.

Amendment adopted.

Assembly Bill No. 53 ordered to print, engrossment, and third reading.

Assembly Bill No. 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure.

Read second time.

Mr. James asked unanimous consent to withdraw minority report.

Request granted.

The following committee amendments were submitted:

AMENDMENT No. 1.

In line fourteen, Section 1 of the printed bill, strike out the word "fourth," and insert in lieu thereof the word "fifth."

Amendment adopted.

AMENDMENT No. 2.

In line sixteen of Section 1 of the printed bill, strike out the words "second and third," and insert in lieu thereof the words "third or fourth."

Amendment adopted.

AMENDMENT No. 3.

In line thirty-one, page two of the printed bill, insert after the word "fourth" the words "or fifth."

Amendment adopted.

AMENDMENT No. 4.

In line thirty-seven of Section 1 of the printed bill, strike out the word "fourth" and insert in lieu thereof the word "fifth."

Amendment adopted.

AMENDMENT No. 5.

In line forty of Section 1 of the printed bill, insert after the word "third" the words "or fourth."

Amendment adopted.

AMENDMENT No. 6.

In line forty-three of Section 1 of the printed bill, after the word "each," insert the word "city."

Amendment adopted.

Assembly Bill No. 139 ordered to print, engrossment, and third reading.

Assembly Bill No. 140—An Act to establish Police Courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 6 by striking out the word "eight" in line ten of the printed bill, and inserting in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 7, line six, of the printed bill, by striking out the words "two thousand," and inserting in lieu thereof the words "fifteen hundred."

Amendment adopted.

Assembly Bill No. 140 ordered to print, engrossment, and third reading.

Mr. Johnson moved that Assembly Bills Nos. 142, 139, and 140 be referred to Judiciary Committee, and to retain their place on file.

So ordered.

Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

Read second time.

Mr. Johnson 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. 163.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 163 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and

fifty-second fiscal years—and do now report the same back, with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting a comma after the word "insane," in the title.

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting a comma after the word "insane," in line four, first page, printed bill.

Amendment adopted.

Assembly Bill No. 163 ordered to print, engrossment, and third reading.

Assembly Bill No. 284—An Act to regulate the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "named therein," in Section 5, line seventeen, third page, printed bill, and inserting in lieu thereof the following: "therein named"

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the following: "Section 18," page twelve, printed bill, and inserting in lieu thereof, "Section 17"

Amendment adopted.

AMENDMENT No 3.

Amend by striking out the following: "Section 19," page twelve, printed bill, and inserting in lieu thereof, "Section 18."

Amendment adopted.

AMENDMENT No. 4.

Amend in line two, Section 19, page twelve, printed bill, by inserting the word "of" after the word "day."

Amendment adopted.

Assembly Bill No. 284 ordered to print, engrossment, and third reading.

MOTION.

Mr. Ralston moved to take up the Governor's message.

So ordered.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 24, 1901.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 3—An Act to provide for the rebuilding, repairing, equipping, and furnishing the refectory building of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

HENRY T. GAGE,
Governor of the State of California.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 196—An Act to amend Sections 4 and 5 of an Act entitled "An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs," approved March 13, 1866.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Barnes moved to take up Senate messages.

Motion lost.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging camps.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 214—An Act limiting the hours of daily services of persons, either male or female, employed by any person, firm, or corporation engaged in laundry business within the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No 266—An Act to amend Section 1970 of the Civil Code of the State of California, relating to obligations of employers.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Read second time.

The following committee amendment was submitted:

AMENDMENT No. 1.

Amend by striking out of Section 1, line one of printed bill, the words "of said Act," and inserting in lieu thereof the following: "of an Act entitled 'An Act to establish and support a Bureau of Labor Statistics,' approved March 3, 1883, and as amended February 8, 1889."

Amendment adopted.

Assembly Bill No. 82 ordered to print, engrossment, and third reading.

Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Atherton moved that Assembly Bill No. 259 be recalled from the Committee on Ways and Means, and that it retain its place on file.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State Prisons or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty thereof.

Read second time.

The following committee amendment was submitted:

AMENDMENT No. 1.

Strike out the word "date," being the last word of Section 180, and insert instead thereof the word "State."

Assembly Bill No. 314 ordered to print, engrossment, and third reading.

MOTION.

Mr. Stewart of San Diego moved to take up Senate messages.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 23, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 115—An Act to provide for the establishment and maintenance of public libraries within municipalities

Also: Adopted Senate Joint Resolution No 2—Requesting the President of the United States to direct that Dr. J J. Kinyoun, United States Quarantine Officer for San Francisco, be relieved from further service on the Pacific Coast.

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

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

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

Senate Joint Resolution No. 2 read. and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to recede from its amendment of Joint Rule 23, and also refused to concur in the Assembly amendment of Joint Rule 23, and have appointed as a committee on conference Senators Nutt, Belshaw, and Sims.

And respectfully request the appointment of a like committee by your honorable body.

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

Mr. Johnson moved that a committee of three be appointed to confer with a like committee from the Senate for conference relative to Joint Rule No. 23.

So ordered.

The Speaker appointed as such committee on conference, Messrs. Broughton, Cowan, and Schillig.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 8—Approving eleven certain amendments to the charter of the City of San Diego, in the County of San Diego, State of California, voted for and ratified by the qualified electors of the said City of San Diego at a special election held therein for that purpose on the 12th day of January, 1901.

Also: Assembly Joint Resolution No. 7—Relative to citrus fruit industry, and protest against ratification of Jamaica treaty.

F. J. BRANDON, Secretary of Senate.

Assembly Joint Resolution No. 7 ordered to enrollment.

Senate Concurrent Resolution No. 8 read, and referred to Committee on Municipal Corporations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No 206, have had the same under consideration, and respectfully report a substitute for the same, and recommend that it do pass.

McNEIL, Chairman.

Assembly Bill No. 206 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. Anderson of Solano: Assembly Bill No. 474 (Committee Substitute for Assembly Bill No. 206)—An Act to prevent fraud in the sale of Paris green used as an insecticide.

Read first time, ordered to print, and placed on file for second reading.

MOTIONS.

Mr. Stewart of San Diego moved that Senate Concurrent Resolution No. 8 be recalled from Committee on Municipal Corporations.

So ordered.

Also: That the rules be suspended, and that the Assembly do now consider Senate Concurrent Resolution No. 8.

So ordered.

SENATE CONCURRENT RESOLUTION No. 8.

Approving eleven certain amendments to the charter of the City of San Diego, in the County of San Diego, State of California, voted for and ratified by the qualified electors of the said City of San Diego at a special election held therein for that purpose on the twelfth day of January, 1901.

WHEREAS, The City of San Diego, in the County of San Diego, State of California, contains a population of over eighteen thousand inhabitants, and has been ever since the year eighteen hundred and eighty-nine, and is now, organized and acting under a Freeholders' Charter adopted under and by virtue of section eight of article eleven of the Constitution, which charter was duly ratified by the qualified electors of said city at an election held for that purpose on the second day of March, eighteen hundred and eighty-nine, and approved by the Legislature of the State of California on the sixteenth day of March, eighteen hundred and eighty-nine (Statutes of 1889, page 643), which charter has never been amended; and

WHEREAS, The legislative authority of the said City of San Diego did by ordinance numbered eight hundred and thirty-nine of the ordinances of said city, adopted by the Board of Aldermen of said city on the twenty-second day of October, nineteen hundred and by the Board of Delegates of said city on the twenty-ninth day of October, nineteen hundred, and approved by the Mayor of said city on the thirty-first day of October, nineteen hundred, and pursuant to section eight of article eleven of the Constitution of the State of California, duly proposed to the qualified electors of the said City of San Diego, eleven certain amendments to the charter of the said city, which said eleven amendments were and are in the words and figures following, to wit:

That sub-section fifty-three of section one of chapter two of article two of the said charter of the said City of San Diego, California, be amended so as to read as follows:

53. To incur an indebtedness exceeding the revenue for any fiscal year in case of great public calamity or danger, such as earthquakes, conflagrations, pestilence, invasion, or any other great or unforeseen emergency The ordinance for such purpose must be passed by the affirmative vote of two thirds of the members of each board, and be approved by the Mayor. Before, or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also to constitute a sinking fund for the payment of the principal thereof, within forty years from the time of contracting the same. No such indebtedness shall be incurred without the assent of two thirds of the qualified electors of said city, voting at an election held for that purpose.

That article four of the said charter of the said City of San Diego, California, be and the same is hereby repealed

That said charter be amended by adding thereto section twenty-six of chapter one of article five, which section shall read as follows:

Section 26. The Board of Public Works shall have full control and management of any system of water-works of which the said City of San Diego may become the owner or acquire the possession thereof by lease and the collections of the revenues therefrom under such regulations by ordinance as the Common Council may from time to time enact, but the fixing of water rates shall remain with the Common Council. All contracts for work and material shall be made by the said Board of Public Works as herein provided for the letting of contracts for other public work, and all payrolls and all accounts for the same shall first be passed upon by the said Board of Public Works, who shall certify them to the Auditing Committee.

That chapter two of article five of the said charter of the said City of San Diego, California, be and the same is hereby amended to read as follows:

Chapter 2. The mode and manner for the improvement of streets, lanes, alleys, places or courts in this city, where an assessment is levied for the payment of any part or portion of the expense thereof, shall be as prescribed by the general law of the State of California, relative to the improvement of streets, lanes, alleys, places, or courts in municipalities, in force at the time proceedings are taken for the improvement of the same.

That chapter three of article five of the said charter of the said City of San Diego, California, be and the same is hereby repealed

That chapter four of article five of the said charter of the said City of San Diego, California, be and the same is hereby amended to read as follows:

Chapter 4. That the mode and manner of laying out, opening, extending, widening, straightening, or closing, in whole or in part, any street, square, lane, alley, court, or place within said city, where an assessment is levied upon property for the purpose of paying any part or portion of the expense thereof, shall be in accordance with the provisions of the general laws of the State of California, relative to laying out, opening, extending, widening, straightening, or closing, in whole or in part, any street, square, lane, alley, court, or place within municipalities, in force at the time proceedings therefor are taken.

That chapter six of article five of the said charter of the said City of San Diego, California, be and the same is hereby repealed.

That section twelve of chapter two of article six of the said charter of the said City of San Diego, California, be amended so as to read as follows:

Section 12 The Common Council must not for any purpose contract debts or liabilities, except in pursuance of law, nor shall such indebtedness or liabilities exceed,

in any fiscal year, the income and revenue provided for such year, without the assent of two thirds of the qualified electors of the said city, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness, as it falls due, and also 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, and proceed in accordance with the general law of the State of California, in force at the time proceedings are taken for the incurring of such indebtedness, providing how bonded debts may be created Any indebtedness or liability incurred contrary to this provision shall be void; and all contracts, authorizations, allowances, payments, and liabilities to pay, made or attempted to be made in violation of this provision shall be absolutely void, and shall never be the foundation or basis of a claim against the treasury of said city; and all officers of said city are charged with notice of the condition of the city treasury, and extent of the claims against the same

That section thirteen of chapter two of article six of said charter of the said City of San Diego, California, be amended so as to read as follows:

Section 13. Whenever the Common Council shall determine that the public interest or necessity demands the acquisition, construction, or completion of any municipal buildings, bridges, sewers, water-works, water rights, reservoir sites, rights of way for pipes, aqueducts, flumes, or other conduits, or any other property or appliances suitable or proper for supplying said city or its inhabitants with water or other municipal improvements, the cost of which will be too great to be paid out of the ordinary annual income and revenue of said city, the said Common Council may contract bonded indebtedness for said purposes, or any of them, and the proceedings taken for incurring such indebtedness shall be in accordance with the mode and manner prescribed by the provisions of the general laws of the State of California, relative to incurring bonded indebtedness by municipalities, in force at the time such proceedings are taken Said Common Council may also contract bonded indebtedness for any other purpose authorized by this charter or the general law of the State of California; *provided*, that the proceedings taken therefor shall be in accordance with the provisions of the general law in force at the time such proceedings are taken.

That section fifteen of chapter two of article six of the said charter of the said City of San Diego, California, be and the same is hereby repealed

That article eight of the said charter of the said City of San Diego, California, be and the same is hereby amended to read as follows:

ARTICLE VIII.

SAN DIEGO PUBLIC LIBRARY.

The public library and reading-room shall be governed and controlled by a board of five trustees, who shall be elected in the same manner and at the same time as other city officials are elected, and shall hold office for the term of two years and until their successors are elected and qualified. Said library and reading room shall be governed and controlled by the provisions of an Act of the Legislature of the State of California entitled "An Act to establish free public libraries and reading-rooms," approved April twenty-sixth, eighteen hundred and eighty, and the powers and duties of said board of trustees shall be as in said Act prescribed, and

WHEREAS, Said proposed amendments were, and each of them was, published for at least twenty days in the city official newspaper of said city, to wit: "The San Diego Union and Daily Bee," which is a daily newspaper printed and published, and of general circulation, in the said City of San Diego, viz: Commencing on the second day of November, nineteen hundred, and ending on the twenty-fourth day of November, nineteen hundred; and

WHEREAS, Thereafter the Common Council of said City of San Diego, on the twenty-seventh day of November, nineteen hundred, duly adopted ordinance number eight hundred and fifty, of the ordinances of said city, which ordinance was approved by the Mayor of said city on the twenty-eighth day of November, nineteen hundred, and thereby called a special election to be held in said City of San Diego, on the twelfth day of January, nineteen hundred and one (at least forty days after the publication of said proposals for twenty days in said daily newspaper of general circulation in the said City of San Diego, to wit: "The San Diego Union and Daily Bee)," for the purpose of submitting said proposed amendments to said charter to the electors of said city for their ratification; and

WHEREAS, At said election more than three fifths of the electors voting thereat voted in favor of and to ratify and did ratify each and all of said eleven proposed amendments to said charter; and

WHEREAS, The Common Council of said City of San Diego duly canvassed the returns of said special election and duly found, determined, and declared that more than three fifths of such qualified voters voting at said special election had voted for and ratified the said eleven amendments to said charter; and

WHEREAS, The said proposed amendments so ratified have been duly presented and submitted to the Legislature of the State of California for approval or rejection as a whole, without power of alteration or amendment, in accordance with section eight of article eleven of the Constitution of the State of California; now, therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for the adoption of this resolution and concurring herein), That the said amendments to the said charter of the said City of San Diego, as presented and submitted to and adopted and ratified by the qualified electors of said city, be and the same are hereby approved as a whole, for and as amendments to the charter of the said City of San Diego.

Read, and the question being on the adoption of Senate Concurrent Resolution No. 8.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—69.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Mr. Higby:

Resolved, That the Committee on Fish and Game, and the clerk of the same, be and they are hereby granted a leave of absence from Friday afternoon to Monday morning, the 28th of January, to visit the State Fish Hatchery at Sisson, for the purposes of inspection as to the condition and requirements of that institution.

Mr. Higby moved that further consideration of resolution be postponed until to-morrow, to be taken up immediately after the reading of the Journal.

So ordered.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, January 25, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, January 25, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

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

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNALS.

The Journals of Tuesday, January 22, 1901, and Wednesday, January 23, 1901, were read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 137—An Act appropriating the sum of $2,345 75 to pay the claim of the Pacific Coast Steamship Company against the State of California, for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquests held on the body of any person confined in such prisons and schools—have had the same under consideration, and respectfully report the same back, and recommend that it is not a proper matter to be considered by said committee, as it carries no appropriation.

Also: Assembly Bill No 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Also: Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D Riordan for legal services rendered and expenses incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled The People of the State of California, by Tirey L Ford, Attorney General, plaintiff, vs. Charles F. Curry, as Secretary of State of the State of California (No 73,277), and decided on appeal by the Supreme Court of the State of California, and therein entitled The People of the State of California plaintiff and appellant, vs Charles F Curry, as Secretary of State of the State of California, defendant and respondent, and numbered San Francisco No 2442

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

FISK, Chairman

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts

Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution

Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments

Assembly Bill No 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year

Assembly Bill No. 23—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897.

Assembly Bill No. 90—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution, by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday.

Assembly Bill No 212—An Act to amend Section 737 of the Political Code, relating to the salaries of Superior Judges.

Assembly Bill No 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof

Assembly Bill No. 196—An Act entitled an Act to amend Sections 4 and 5 of an Act entitled "An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs," approved March 13, 1866.

Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties, and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of the State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen

Assembly Bill No 35—An Act entitled an Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State Highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Assembly Bill No 127—An Act to provide for a lunch hour for laborers in sawmills, shake mills, shingle-mills, and logging camps.

Assembly Bill No. 214—An Act limiting the hours of daily services of persons, either male or female, employed by any person, firm or corporation engaged in the laundry business within the State of California, and providing for a penalty for the violation of the provisions of this Act.

Assembly Bill No 240- An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California.

Assembly Bill No 266—An Act to amend Section 1970 of the Civil Code of the State of California, relating to obligations of employers.

Assembly Bill No 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

FRANKLIN, Chairman.

SPECIAL ORDERS.

Assembly Concurrent Resolution No. 6—Relative to tendering thanks to His Excellency William McKinley, President of the United States; His Excellency John Hay, Secretary of State; His Excellency Henry T. Gage, Governor of California, and to our Senators and Representatives, for prompt action in regard to the bubonic plague scare of 1900.

Mr. Brown moved that further consideration of Assembly Concurrent Resolution No. 6 be postponed until Monday, and made special order for eleven o'clock, or until Committee on Federal Relations reports.

Adopted.

Resolution by Mr. Higby withdrawn by author.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No.

87—An Act making an appropriation to pay the claim of the County of Marin against the State of California—have had the same under consideration, and respectfully report the same back without recommendation

Also. Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No. 350—An Act making an appropriation to pay the claims of certain employés of the State Printing Office—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 218—An Act to pay the claim of C. B Lightfoot 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 not pass.

Also: Assembly Bill No 209—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 312—An Act making an appropriation to pay the claim of A L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres

Also: Assembly Bill No 369—An Act appropriating $300 to pay the claim of George E. Dierssen, as assignee of George H Stewart, for the arrest of W H. Harrall, a highway robber, said Harrall being killed while resisting arrest.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

HENRY, Chairman

Assembly Bills Nos. 87, 279, 235, 350, 218, 209, 312, and 369 referred to Committee on Ways and Means.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER. Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce the laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Also: Assembly Bill No 289—An Act to regulate the establishment of and maintenance of public laundries and public wash-houses in the cities and counties of the State.

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

HASSON, Chairman.

Assembly Bills Nos. 394 and 289 referred to Committee on Ways and Means.

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901

MR. SPEAKER Your Committee on Dairies and Dairy Products, to whom was referred Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MYERS, Chairman.

Assembly Bill No. 62 referred to Committee on Ways and Means.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 125—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds around said fort—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RUTHERFORD, Chairman.

Assembly Bill No. 125 referred to Committee on Ways and Means.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to the persons subject to military duty and to those who may constitute military organizations in the military service of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENNINK, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 313—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 1596, relating to the furnishing by the Wardens of the State Prisons of the State of California a photograph and a complete description of each criminal sixty days before such criminal is released from said State Prison—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

IRISH, Chairman.

ON CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XII of the Constitution of the State of California, in relation to corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

BROUGHTON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof and placing them under the supervision of the Bank Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BROUGHTON, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California

Report the same back, with the recommendation that they do pass

Also: Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses—report the same back, with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½ relating to public nuisances—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 166—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof—report the same back, with one amendment, and recommend that it do pass as amended.

And that, pursuant to the resolution of the Assembly adopted January 24, 1901, I have appointed W. F. Renfro as stenographer for the Committee on Judiciary.

JOHNSON, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Brown of San Mateo:

Resolved, That, pursuant to the resolution adopted by the Assembly January 24, 1901, and the appointment made by the chairman of the Committee on Judiciary, W. F. Renfro is hereby appointed stenographer for the Committee on Judiciary at a per diem of $5, payable out of the Contingent Fund of the Assembly, to date from January 24, 1901, and the Controller of State is hereby directed to draw his warrant therefor and the Treasurer of State is hereby directed to pay the same out of said Contingent Fund

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kelley, Knight, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

NOES—None

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 223—An Act to regulate the catching of abalones within this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 222—An Act to repeal an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California," approved March 21, 1887.

Also: Assembly Bill No. 225—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a trout hatchery, and providing ways and means therefor.

Also: Assembly Bill No. 241—An Act to amend Section 632 of Penal Code, relating to fish.

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. 226—An Act to prevent the use of paranzella, or drag-net, within the waters of this State, and to prohibit the sale of any fish caught therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

HIGBY, Chairman.

Assembly Bill No. 241 withdrawn by author.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

Also: Assembly Bill No. 59—An Act providing for the appointment, and for fixing the bond and compensation, and for specifying the duties, powers, and tenure of office of matrons for city and town jails and prisons, where matrons therefor are not otherwise provided for.

Also: Assembly Bill No. 175—An Act to amend Section 880 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. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

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

SAVAGE, Chairman.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No 105—An Act repealing Sections 1357 to 1383 of the Political Code, relating to primary elections—have had the same under consideration, and respectfully report the same back, with two amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No 106—An Act adding a section to the Political Code, to be numbered 1171, relating to the submission to popular vote and adoption in certain counties and cities, and in all towns, of the provisions of Sections 1357 to 1370, both inclusive, of the Political Code, requiring the election of delegates to nominating conventions at primary elections—have had the same under consideration, and respectfully report the same back, with three amendments, and recommend that the same do pass as amended

Also: Assembly Bill No. 107—An Act to amend Section 1188 of the Political Code, pertaining to the nomination of candidates for public office by petition—have had the

same under consideration, and respectfully report the same back with six amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No 108—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions

Also: Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

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

Also: Assembly Bill No. 110—An Act amending Section 1119 of the Political Code, relating to the registration of voters at primary elections—have had the same under consideration, and respectfully report the same back, with two amendments, and recommend that the same do pass as amended.

MACBETH, Chairman

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 405—An Act to amend Section 1970 of the Civil Code of the State of California, in relation to the obligation of employers.

Also: Assembly Bill No. 407—An Act to amend an Act entitled "An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof, providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof," approved March 20, 1899.

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

HOURIGAN, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of W. D. Wasson vs. L. A. Henry, for a seat in the Assembly from the Forty-second Assembly District of the City and County of San Francisco, beg leave to report that we have had the same under consideration, and, after an examination of the testimony, we find that there is no evidence to justify your committee to warrant the recount of the ballots We therefore find that, on the face of the returns, Lorenzo A Henry, having received a majority of the votes cast for Assemblyman from the Forty-second Assembly District of the City and County of San Francisco, beg leave to report that Lorenzo A. Henry is legally entitled to his seat in this Assembly from the Forty-second Assembly District of the City and County of San Francisco. We recommend the adoption of the following resolution, to wit:

Resolved, That Lorenzo A. Henry is and he is hereby declared to be entitled to retain his seat, and to retain the office of Assemblyman from the Forty-second Assembly District of the State of California

GUILFOYLE, Chairman.

Report and resolution adopted.

ON ATTACHÉS AND EMPLOYÉS

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution, beg leave to report back that the same do pass:

Resolved, That J Steppacher is hereby appointed clerk to the San Francisco Delegation, to assist the said delegation in the apportionment of the City and County of San Francisco, at a per diem of $5, to date from January 21st, and that the Controller is authorized to draw a warrant on the Treasurer for the same, to be paid out of the Contingent Fund of the Assembly, and that the Treasurer is authorized to pay the same.

GEO C. BROWN, Chairman

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Collins, Cromwell, Duryea, Evatt, Fisk, Franklin, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Johnson, John, Knight, Macbeth, McWade, Ralston, Roberts, Savage, Stewart of San Diego, Treadwell, and Webber—38

NOES—Messrs. Cavagnaro, Chandler, Chiles, Cowan, Foster, Hubbard, Irving, James, Kincaid, Levinson, Melick, Milice, Ray, Reeber, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of Amador, Walker, Williams, and Mr. Speaker—22

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 406—An Act to add a new section to the Civil Code of the State of California, to

be known as Section 1972 of the Civil Code of the State of California, in relation to the obligations of employers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

HOURIGAN, Chairman.

REPORT OF COMMITTEE ON CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901

MR. SPEAKER: Your Committee on Conference concerning Joint Rule No 23 of the Senate and Assembly, report that we have met a like committee of the Senate, consisting of Senators Nutt, Belshaw, and Sims, and we report that the conference committee agreed upon, and recommend, that Joint Rule No 23 of the Senate and Assembly be adopted in the following form:

SUBSTITUTE FOR RULE 23.

23 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.

If the committee on free 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 final free conference.

A committee on final free conference shall consist of six members, to be appointed in the same manner as a committee on free conference.

The committee on final free conference shall have the same powers as the committee on free conference, but the report of such committee on final free conference shall be final, and shall be accepted as such

BROUGHTON, Chairman.

RESOLUTION.

By Mr. Johnson:

Resolved, That the present committee on conference as to the Joint Rules be discharged, and a new committee on free conference be appointed, and the Senate be requested to appoint a like committee.

Resolution adopted.

The Speaker appointed as such committee Messrs. Brown of San Mateo, Melick, and James.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

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

By Mr. Sheridan: Assembly Bill No. 475—An Act to amend an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validate sales and surveys heretofore made," approved March 24, 1893.

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

Also: Assembly Bill No. 476—An Act to amend Sections 1021, 1033, and 1034 of the Code of Civil Procedure, relating to costs.

Read first time, and referred to Committee on Judiciary.

By Mr. Franklin: Assembly Bill No. 477—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections and providing for the election of delegates to conventions of political parties at elections known and

designated as primary elections within this State, and in counties and municipalities of certain classes.

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

By Mr. Foster: Assembly Bill No. 478—An Act to repeal an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and all expenses connected therewith," which Act became a law March 7, 1899.

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

Also: Assembly Bill No. 479—An Act to authorize and direct the transfer from the General Fund to the University Fund of the sum of $48,758, the balance remaining in the General Fund of the appropriation made by an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and of all expenses connected therewith," which Act became a law, without the Governor's approval, March 7, 1899, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

Also: Assembly Bill No. 480—An Act making an appropriation for the support and maintenance of the University of California, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

By Mr. Schillig: Assembly Bill No. 481—An Act to provide for the protection of lands from overflow, other than lands recognized as swamp lands.

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

By Mr. McLoughlin: Assembly Bill No. 482—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sections 368, 2429, 2430, 2431, 2440, 2441, 2457, 2458, 2460, 2461, 2462, 2463, 2464, 2445, 2446, and 2468, all relating to pilots, Pilot Commissioners, and pilotage.

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

By Mr. Cavagnaro: Assembly Bill No. 483—An Act directing the State Board of Harbor Commissioners to construct a certain portion of the harbor embankment, or seawall, of the Port of San Francisco.

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

Also: Assembly Bill No. 484—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 485—An Act to amend Section 305 of the Civil Code, relating to corporations.

Read first time, and referred to Committee on Corporations.

By Mr. Dunlap: Assembly Bill No. 486—An Act to authorize suits against the State concerning certain real property, and regulating the procedure therein.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 487—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 488—An Act to divide the State into Congressional districts, and provide for the election of members of the House of Representatives of the United States therein.

Read first time, and referred to Committee on Census and Apportionment.

By Mr. Milice: Assembly Bill No. 489—An Act to add a new section, to be known as Section 15½, and to amend Sections 14, 21, 22, 26, 28, and 57 of an Act entitled "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," approved March 31, 1897.

Read first time, and referred to Committee on Irrigation.

By Mr. Feliz: Assembly Bill No. 490—An Act to amend Section 1310 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read first time, and referred to Committee on Judiciary.

By Mr. Ray: Assembly Bill No. 491—An Act to repeal an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Haley: Assembly Bill No. 492—An Act appropriating money for the payment of claims against the State, arising in the Counties of Merced, Mariposa, Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Claims.

By Mr. Miller: Assembly Bill No. 493—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "foot of the Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Hasson: Assembly Bill No. 494—An Act entitled "An Act to regulate the sale of wood alcohol in the State of California."

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

By Mr. Broughton: Assembly Bill No. 495—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water.

Read first time, and referred to Committee on Irrigation.

By Mr. Stewart of San Diego: Assembly Bill No. 496—An Act to protect real and personal property from injury by trespassing animals.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Bennink: Assembly Bill No. 498—An Act to amend Sections 1917, 1918, 1936, 1939, 1962, 1930, 1984, 2009, 2076, 2077, and 2105, to repeal Section 1990, and to add new sections, to be known and numbered as Sections 1973*a*, 2106, all of and to the Political Code of the State of California, relating to the National Guard.

Read first time, and referred to Committee on Military Affairs.

By Mr. Knowland: Assembly Bill No. 499—An Act to amend an Act entitled "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," approved March 31, 1897.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Gans: Assembly Bill No. 500—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims.

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

By Mr. Higby: Assembly Bill No. 501—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to foreclosure and sale of mortgaged lands.

Read first time, and referred to Committee on Judiciary.

MOTIONS.

Mr. Myers moved that Assembly Bill No. 473 be recalled from the Committee on Public Lands and Forestry and referred to Committee on Swamp and Overflowed Lands and River Improvements.

So ordered.

Mr. Guilfoyle moved that Assembly Bill No. 266 (36 on file) be referred to Committee on Judiciary, and to retain its place on file.

So ordered.

RESOLUTIONS.

By Mr. Bliss:

Resolved, That the Controller is hereby authorized and directed to draw his warrant against the appropriation for contingent expenses of the Assembly, thirty-fourth session, for four hundred and seventeen dollars and fifty cents ($417 50) to pay the per diem of the officers and clerks of the Assembly, thirty-third session, for the last day of said session, the same not having been paid, owing to the appropriation for said thirty-third session having been exhausted.

Read, and referred to Committee on Ways and Means.

By Mr. Melick:

WHEREAS, There are now pending in Congress bills to provide for the reimbursement to Mrs Jessie Benton Fremont for her property seized by the United States Government for military purposes at Point San José (Black Point), in San Francisco, in 1863, and

WHEREAS, Mrs. Fremont is now a resident of California and is by reason of her age and physical disability in need of the financial aid which is her just due; and

WHEREAS, The nobility of character of Mrs. Fremont, and the distinguished services to this State and this coast of herself and her illustrious husband, General John C. Fremont, the historic "Pathfinder," entitle her to special consideration, not only from Californians, but from all Americans; therefore, be it

Resolved, That this Assembly of California most earnestly petitions the Congress of the United States and respectfully urges the Senators and Representatives to favorably pass the claim of Mrs Jessie Benton Fremont, and give her the speedy relief and financial aid which is her just due, of which she is now in need; and

Resolved, That copies of these resolutions be at once forwarded by the Speaker of the Assembly to the Honorable Senators Thomas R. Bard and George C. Perkins, and to our California Congressmen.

Resolution read and adopted.

By Mr. Gans:

Resolved, That the sum of $390 be and the same is hereby allowed to the widow of the late Hon. Barnabas Collins, and that the same be paid out of the Assembly Contingent Fund. The Controller of State is hereby directed to draw his warrant for $390 in favor of Mrs Barnabas Collins, and the State Treasurer is hereby ordered to pay the same out of the Contingent Fund of the Assembly.

Resolution adopted.

By Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of twenty seven and fifty hundredths dollars ($27.50) in favor of W O Banks, Sergeant-at-Arms of the Assembly, to pay for attached bill, as per resolution of January 17, 1901.

Read, and referred to the Committee on Ways and Means.

By Mr. McWade:

Resolved, That the Sergeant-at-Arms of the Assembly be and he hereby is instructed to purchase thirteen copies of Henning's Annotated County Government, and deliver one copy to each member of the Committee on County and Township Governments, said books to be paid for out of the fund for the contingent expenses of the Assembly.

Resolution adopted.

By Mr. Irish:

WHEREAS, Various bills have been referred to the Committee on State Prisons and Reformatory Institutions, calling for large appropriations of money for buildings, improvements, and betterments.

Resolved, That said committee is hereby authorized to visit the various State prisons and reformatory institutions for the purpose of investigating and determining what improvements are necessary, and what, if any, of the proposed improvements can, without detriment to such institutions, be dispensed with; it is further

Resolved, That the members of said committee are hereby granted a leave of absence for said purpose.

Resolution adopted.

By Mr. Rutherford:

Resolved, That the Committee on Public Buildings and Grounds, with the clerk thereof, be and they are hereby authorized to visit the various State institutions for the purpose of enabling the committee to act intelligently upon bills that now are or may come before it carrying large appropriations for said institutions, and to determine what, if any, of the improvements sought to be provided for are indispensible, and what, if any, can be dispensed with without material injury to the institutions or the public welfare; and

Resolved, That the members of said committee, and one clerk thereof, are now granted a leave of absence from Monday next to the Thursday following, both days inclusive.

Resolution adopted.

By Mr. Stewart of San Diego:

Resolved, That R. D McDonald be substituted as porter in the place of Thomas Scott, to date from Sunday, January 27, 1901

Resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following Assembly Joint Resolution has been correctly enrolled:

Assembly Joint Resolution No. 7—Relative to citrus fruit industry and protest against ratification of Jamaica Treaty.

FRANKLIN Chairman.

THIRD-READING FILE.

Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions

for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan Simpson, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—67.

NOES—None.

Title read and approved.

At eleven o'clock and forty minutes A. M., the Speaker called Mr. Fisk to the chair.

Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—69.

NOES—Mr McWade—1.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 11.

Relative to what are commonly known as and called the "California War Claims"

WHEREAS, The just claims of the State of California against the Government of the United States for furnishing, equipping, and paying volunteers during the Civil War, aggregating over $4,000.000, are still unsettled;

WHEREAS, The equity and justness of these claims have often been admitted and never successfully disputed;

WHEREAS, The two houses of Congress have heretofore passed bills relating to and providing for the refunding of at least $3,951,915 42 of the said claims, but have failed to agree finally upon the terms thereof, so that the same have not been enacted into laws; and

WHEREAS, This State has been so long deprived of its rights respecting these claims that the delay is becoming oppressive and intolerable; therefore, be it, and it is

Resolved by the Assembly of the State of California, the Senate concurring, That we respectfully instruct our Senators and request our Representatives in the Congress of the United States to use all honorable means to secure the enactment by that body of a law providing for the refunding to this State without further delay of at least the sum of $3,951,915.42 in settlement of the claims aforesaid; that His Excellency the Governor of the State of California be requested to forward to each of our Senators and Representatives in Congress a properly certified copy of this resolution.

Resolution read and adopted.

Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Dunlap, Duryea, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid,

Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Miller, Myers, Radcliff, Ray, Reeber, Savage, Schilig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—60.

NOES—None.

Title read and approved.

At twelve o'clock and ten minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Evatt, Fisk, Foster, Franklin, Gans, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—58.

NOES—Mr. Collins—1.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Bennink:

Resolved, That the Committee on State Hospitals and Asylums, and the clerk of the same, be hereby authorized to visit the various State hospitals and asylums, for the purpose of investigating and determining what improvements and additions are necessary.

Resolved, That the members of said committee are hereby granted leave of absence for said purposes.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 369—Appropriating $300 to pay the claim of Geo. E. Dierssen, as assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber, said Harrall being killed while resisting arrest.

And concerning which said bills your committee have already made a report recommending that they do not pass, do now make this additional report, and do recommend that said bills be referred for examination to the Committee on Ways and Means

HENRY, Chairman.

Assembly Bills Nos. 218 and 369 referred to Committee on Ways and Means.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 22—An Act to amend Section 2 of an Act entitled "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 purpose aforesaid;

making certain acts a felony, and making an appropriation of money for the purposes of this Act," approved March 17, 1897.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—69.

NOES—None.

Title read and approved.

Assembly Bill No. 90—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 roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson af Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

MOTIONS.

Mr. Schlesinger moved that when the Assembly adjourn to-day it adjourn until Monday, January 28, 1901, at eleven o'clock A. M.

So ordered.

At twelve o'clock and twenty-nine minutes P. M., on motion of Mr. Schlesinger, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Pendleton in the chair.

Quorum present.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday.

Read third time.

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

AYES—Messrs. Atherton, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Evatt, Foster, Gans, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, McLoughlin, Ray, Reeber,

Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, and Mr. Speaker—45.
NOES—None.

Title read and approved.

Assembly Bill No. 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read third time.

Mr. Johnson moved to refer Assembly Bill No. 212 to a select committee of one, with instructions to amend as follows:

Amend by striking out the word "of" in line nineteen of the printed bill, and inserting in lieu thereof the word "after"

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Assembly Bill No. 212 ordered to print and reëngrossment.

Assembly Bill No. 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

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

AYES—Messrs Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Milice, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Walker, Webber, Williams, and Mr. Speaker—60.
NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Duryea gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 91 was this day passed.

RESOLUTION—(OUT OF ORDER).

By Mr. Knight:

WHEREAS, The Committee on Federal Relations will not be able to meet and report on Senate Joint Resolution No. 2 by Monday, January 28th, to which date consideration of Assembly Concurrent Resolution No 6 has been postponed, to be taken up as the special order immediately after the reading of the Journal; and

WHEREAS, It appears to be the desire of this Assembly to consider the two measures on the same date, therefore, be it

Resolved, That the said special order be postponed from Monday, January 28, 1901, until Monday, February 4, 1901, immediately after the reading of the Journal, and that the Committee on Federal Relations be instructed to report on Senate Joint Resolution No. 2 on the said date.

Resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Mr. Anderson of Santa Clara: Assembly Bill No. 502—An Act to amend the Penal Code of the State of California, relating to the preservation of game.

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

By Mr. Bauer: Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Read first time, and referred to Committee on Judiciary.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

Read third time.

Mr. Kelley moved that Assembly Bill No. 14 be referred to a select committee of one, with instructions to amend as follows:

Before the word "entered," in line six of the bill, insert the words "dogs and animals."
Also: Insert the word "dogs" in the title, after the word "livestock," in line four of the title of said bill.

So ordered.

Mr. Kelley was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

KELLEY, Committee.

Report adopted.

Assembly Bill No. 14 ordered to print and reëngrossment.

Assembly Bill No. 196—An Act entitled "An Act to amend Sections 4 and 5 of an Act entitled 'An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs,'" approved March 13, 1866.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, and Mr. Speaker—53.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Mattos until Monday evening.

At two o'clock and thirty-five minutes P. M., the Speaker called Mr. Kelley to the chair.

Assembly Bill No. 254—An Act to promote the apicultural interests

of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Irish, Irving, Johnson, Kelley, Knowland, Laird, Levinson, Mattos, McNeil, Ralston, Roberts, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, and Williams—43.

NOES—None.

Title read and approved.

Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Gans, Greer, Guilfoyle, Hanen, Henry, Irish, Irving, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, McNeil, Ralston, Roberts, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read third time.

Mr. Johnson moved that Assembly Bill No. 35 be referred to Committee on Judiciary, and retain its place on file.

So ordered.

At three o'clock P. M., the Speaker resumed the chair.

Assembly Bill No. 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging camps.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Henry, Hubbard, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, McNeil, Ray, Roberts, Schilig, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Williams, Wright, and Mr. Speaker—42.

NOES—Mr. Duryea—1.

Title read and approved.

Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections

2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hubbard, Irving, Johnson, Kincaid, Knowland, Laird, Levinson, Macbeth, McNeil, Ray, Roberts, Schilhg, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, and Wright—41.

NOES—None.

Title read and approved.

SECOND-READING FILE.

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California, for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Read second time.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Read second time.

Mr. Johnson 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. 137 and 63.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 137 and 63 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California, for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California

Also: Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Do now report, and recommend that they do pass.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California, for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the following: "and be payable on and after July 15, 1901"

Amendment lost.

Assembly Bill No. 137 ordered to print, engrossment, and third reading.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt county.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of an inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquest held on the body of any person confined in such prisons and schools.

Read second time.

The following committee amendment was submitted:

After the last word in line six of Section 3, add the following language: "*provided*, all claims under this Act shall be presented to the State Board of Examiners within six months from the time the same was incurred, otherwise the claim is barred."

Amendment adopted.

Assembly Bill No. 259 ordered to print, reëngrossment, and third reading.

Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Read second time, ordered engrossed and to third reading.

Assembly Bill No. 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the third word "the" in the enacting clause.

Amendment adopted.

AMENDMENT No. 2.

Insert after the word "prosecuted," in line seven of the printed bill, the words "for the violation of a State law or a city ordinance, whether."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1, line eight, of the printed bill, by inserting after the word "all" the words "forfeitures and."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 2, page two of the printed bill, by inserting after the word "all," in line six, the words "forfeitures and."

Amendment adopted.

Assembly Bill No. 167 ordered to print, reëngrossment, and third reading.

At three o'clock and twenty-five minutes P. M., the Speaker called Mr. Johnson to the chair.

Assembly Bill No. 42—An Act providing for the listing and appraisement of property exempt from taxation, and reporting the same to the Legislature.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by inserting after the word "Act" the words and figures as follows, viz: "to add a new section to the Political Code, to be known as Section 3655*a*."

Amendment adopted.

AMENDMENT No. 2.

Insert after the enacting clause as follows, viz: "A new section is hereby added to the Political Code, to be known and numbered as Section 3655*a*, and to read as follows."

Amendment adopted.

AMENDMENT No. 3.

Strike out the figure "1," in line one of the printed bill, and insert in lieu thereof the figures and letter "3655*a*."

Amendment adopted.

AMENDMENT No. 4.

Strike out the word and figure "Section 2," in line one of Section 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 5

Strike out the word and figure "Section 3," in line one of Section 3 of the printed bill.

Amendment adopted.

AMENDMENT No. 6.

Strike out all of "Section 4" of the bill.

Amendment adopted.

AMENDMENT No. 7.

Insert after the word "situated," in line four of Section 2 of the printed bill, the words "at the time of making the statement required by Section 3629 of the Political Code."

Amendment adopted.

Assembly Bill No. 42 ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Macbeth:

Resolved, That Fred Jensen be transferred from clerk to the Committee on Election Laws to clerk to the Committee on Public Buildings and Grounds, and that D. M. Noble be transferred from clerk to the Committee on Public Buildings and Grounds to clerk on Election Laws.

Resolution adopted.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 54—An Act to amend an Act entitled "An Act requiring the recording of maps of cities, towns, additions to cities or towns, or subdivisions of land into small lots or tracts for the purposes 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."

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the enacting clause by inserting after the word "the," where it occurs the second time, the words "State of".

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "in miscellaneous records," in line five of the printed bill.

Amendment adopted.

AMENDMENT No. 3.

Add after the word "situated," in line six of the printed bill, the words "in a book kept for that purpose."

Amendment adopted.

Assembly Bill No. 54 ordered to print, engrossment, and third reading.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 145.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

AssemblyBill No. 145 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law—and do now report the same back, and recommend that the same do pass.

JOHNSON, Chairman.

Report adopted.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Ordered to engrossment and third reading.

Assembly Bill No. 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Assembly Bill No 8 by striking out the word "to," in line thirty, and word "be" in line thirty-one of Section 2, printed bill, and insert in lieu thereof the word "shall."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 3 by changing last period to semicolon and adding thereafter the following: "*provided, however*, should the proposition so submitted at such election fail to receive the requisite number of votes of the qualified voters voting at such election to incur the indebtedness for the purposes specified, the legislative branch of such municipality shall have no power or authority, within one year after such election, to call or order another election for incurring any indebtedness for improvements substantially the same as voted upon at such prior election, unless a petition signed by a majority of the taxpayers on the latest assessment roll of such municipality be filed

with such municipality requesting that such proposition, or a proposition substantially the same, be submitted at an election to be called for the submission of such proposition, and to be held in accordance with the provisions of this Act."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 5 of said Act by inserting after the word "following," in line three, the words, "a part to be determined by the legislative branch of said municipality, which shall be."

Amendment adopted.

Assembly Bill No. 8 ordered to print, engrossment, and third reading.

Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for annual reasonable expenses, and what proportion is for annual receipts and profits.

Read second time, ordered to engrossment and third reading.

ADJOURNMENT.

At three o'clock and forty minutes P. M., on motion of Mr. Anderson of Solano, the Assembly adjourned until Monday, January 28, 1901, at eleven o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, January 28, 1901.

The Assembly met at eleven o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Laird, Levinson, Macbeth, McNeil, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—62.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Sutro for three days, and to Messrs. Cavagnaro, Webber, Knowland, John, Higby, Hubbard, and Melick for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of January 24, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the two weeks ending January 26, 1901, as follows:

Bills have been referred to this committee as follows:

Jan. 15,	Assembly Bill No. 56—Making an appropriation to pay deficiency for postage, etc., Attorney-General, fiftieth fiscal year	$351 75
15,	Assembly Bill No 57—Making an appropriation to pay for printing, etc, Attorney-General, fifty-first fiscal year	2,000 00
18,	Assembly Bill No 144—To provide for the purchase of Agricultural Park, Sacramento, etc.	100,000 00
18,	Assembly Bill No. 145—Making an appropriation to pay expenses incurred by Commission for Revision and Reform of the Law	1,120 00
18,	Assembly Bill No. 163—Making an appropriation to pay deficiency for transportation of insane and feeble-minded children, forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years	9,063 00
18,	Assembly Bill No 170—To provide for maintenance and support in certain cases of indigent and incapacitated persons, etc.	
18,	Assembly Bill No 21—To appropriate $455.38 to pay claims of Companies B and D, Second Infantry Regiment, N. G. C.	455 38
18,	Assembly Bill No. 24—Claim of American Type Founders' Company	300 00
21,	Assembly Bill No. 81—To authorize the Attorney-General to appoint a clerk	
23,	Assembly Bill No. 137—Claim of Pacific Coast Steamship Company	2,345 75
23,	Assembly Bill No. 63—For the propagation of steelhead trout	2,000 00
23,	Assembly Bill No. 45—To pay deficiency for pay of officers and clerks of the Assembly, thirty-third session	187 00
23,	Assembly Bill No. 52—Claim of State Board of Horticulture	1,957 01
23,	Assembly Bill No. 19—Claim of Thomas D. Riordan	1,015 00
23,	Assembly Bill No. 28—For the purchase of fencing material for Preston School of Industry	1,600 00
23,	Assembly Bill No. 29—To repair laundry at Preston School of Industry	500 00
23,	Assembly Bill No. 104—To pay expenses incurred at State Forestry Station at Chico	374 45
23,	Assembly Bill No. 124—For the construction of a wagon road from Sacramento to Folsom	35,000 00
23,	Assembly Bill No 193—To pay J. C. Nichols for conveying insane to Highlands, etc.	79 50
23,	Assembly Bill No. 259—Providing for the payment of costs in the arrest, trial, etc., of any convict committed to either of the State prisons, reform schools, etc.	
23,	Assembly Bill No. 268—Appropriating money for the purchase of books for use of Preston School of Industry	250 00
25,	Senate Bill No. 47—Making an appropriation to pay deficiency in the appropriation in stationery, etc., for Legislature and State officers for forty-eighth and forty-ninth fiscal years	4,025 79
25,	Senate Bill No. 48—Making an appropriation to pay deficiency in appropriation for repairs to Capitol building, etc	9,958 03
25,	Senate Bill No. 49—Making an appropriation to pay deficiency for stationery, etc, for Legislature and State officers, fiftieth fiscal year.	5,000 00
25,	Senate Bill No 45—Making an appropriation to pay a claim of city of Sacramento for water, forty-ninth and fiftieth fiscal years	1,050 00
25,	Assembly Bill No. 46—To provide for the appointment, duties, and compensation of a Débris Commissioner	150,000 00
25,	Assembly Bill No. 62—To establish a California State Dairy School and Experimental Farm	20,000 00
25,	Assembly Bill No. 87—Claim of County of Marin	3,046 75
25,	Assembly Bill No. 125—To purchase additional land for Sutter's Fort	20,000 00
25,	Assembly Bill No. 209—Claim of Major José Ramon Pico	8,111 15
25,	Assembly Bill No. 218—Claim of C. B. Lightfoot	3,000 00

Jan. 25, Assembly Bill No. 235—To pay the expenses of the funeral of Lieut. Hartley R. Hodgson	$182 50
25, Assembly Bill No. 279—Claim of Fred B Blakeley	300 00
25, Assembly Bill No. 312—Claim of A. L. Ward	300 00
25, Assembly Bill No. 350—Claim of certain employés of State Printing Office	4,930 65
25, Assembly Bill No. 369—Claim of George E. Dierssen	300 00
25, Assembly Bill No. 394—Authorizing the State Board of Health to conduct examinations relative to pure foods, etc	30,000 00
25, Assembly Bill No. 443—Making an appropriation to pay judgment against State of California obtained by J. C. Daly, and assigned to California Bank of Oakland	13,000 00
25, Assembly Bill No. 257—Making an appropriation to study the life history of insects, etc., in the State of California	5,000 00
	$436,803 71

Bills Reported Favorably

Jan. 21, Assembly Bill No. 56—Making an appropriation to pay deficiency in the appropriation for postage, etc., Attorney-General, fiftieth fiscal year	$351 75
23, Assembly Bill No. 145—Making an appropriation to pay expenses of Commission for the Revision and Reform of the Law	1,120 00
21, Assembly Bill No. 21—To appropriate $455 38 to pay claims of Companies B and D, Second Infantry Regiment, N. G. C	455 38
22, Assembly Bill No. 24—Claim of American Type Founders' Company	300 00
22, Assembly Bill No. 81—To authorize the Attorney-General to appoint a clerk	
24, Assembly Bill No. 137—Claim of Pacific Coast Steamship Company	2,345 75
24, Assembly Bill No. 63—For the propagation of steelhead trout	2,000 00
22, Assembly Bill No. 163—To pay deficiency for transportation of insane and feeble-minded children, forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years	9,063 00
	$15,635 88

Reported Favorably, and Bill Withdrawn for Further Consideration.

Jan. 24, Assembly Bill No. 19—Claim of Thomas D. Riordan	$1,015 00

Bills Referred to Other Committees.

Jan. 23, Assembly Bill No. 170—To provide for maintenance and support in certain cases of indigent and incapacitated persons, etc., referred to Committee on County and Township Governments	
24, Assembly Bill No. 259—Providing for the payment of costs in the arrest, trial, etc., of any convict committed to either of the State prisons, reform schools, etc., returned to House as not being a proper bill to come before Ways and Means Committee	

Recapitulation.

Total amount of appropriations referred to this committee to date	$436,803 71
Total appropriations reported favorably	15,635 88
Total appropriations remaining in hands of the committee	421,167 83

Respectfully submitted.

FISK, Chairman.

Report ordered printed in the Journal.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa county jail, in August, 1897.

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

Assembly Bill No. 181—An Act amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California

Assembly Bill No 252—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Assembly Bill No. 284—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and providing the penalty therefor.

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for annual reasonable expenses, and what proportion is for annual receipts and profits.

FRANKLIN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the years for which bonds may be issued—report the same back, and recommend that it do pass.

Also: Senate Bill No. 39—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California—report the same back, and recommend that it do not pass

Also: Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces—report the same back by a majority vote that it do pass

Also: Assembly Bill No 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor—report the same back, with one amendment, by a majority vote, and recommend that it do pass as amended.

Also: Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California, relative to fees of executors and administrators in estates—report the same back by a majority vote that it do pass

JOHNSON, Chairman

Assembly Bill No. 229 re-referred to Committee on Ways and Means.

ON JUDICIARY—(MINORITY REPORTS).

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California, relative to fees of executors and administrators in estates—report that a minority of your committee recommend that the bill do not pass.

W. F. COWAN.
W. H. SAVAGE.
H. A. BAUER.
R H. MYERS.
G. L JOHNSON.
H. W. BROWN.
F. E. DUNLAP.
T. J. SHERIDAN.
H. S. GANS.
J W. P. LAIRD.
F. D. MACBETH.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901

MR. SPEAKER: The minority of your Committee on Judiciary, to whom was referred Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

ROBERT M. CLARKE.
FRANK JAMES.
T. J. SHERIDAN.
H. W. BROWN.
FRANK D. MACBETH.

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Assembly Bill No. 430—An Act to prohibit the use, by purchasers of milk, cream, or other dairy products, of apparatus, test bottles or other appliances showing false percentages of cream, butter-fat or richness, or which by their use are calculated to deceive or defraud—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MYERS, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 362—An Act to amend Section 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CROMWELL, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 210—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman.

Assembly Bill No. 210 re-referred to Committee on Ways and Means.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 24, 1901.

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 consent of the Legislature to absence from the State of State Senator John F. Davis, of the Fourteenth Senatorial District, for a period not to exceed six months.

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

SENATE CONCURRENT RESOLUTION No. 7.

Relative to the consent of the Legislature to absence from the State of State Senator John F. Davis, of the Fourteenth Senatorial District, for a period not to exceed six months.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California has consented, and does hereby consent, that State Senator Hon. John F. Davis, of the Fourteenth Senatorial District, may depart from the State of California at any time during the remainder of his official term as State Senator, and remain absent for a period not to exceed six months from and immediately succeeding the time of his departure.

Senate Concurrent Resolution No. 7 read and adopted.

Also:

SENATE CHAMBER, SACRAMENTO, January 24, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 35—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Also: Adopted Senate Joint Resolution No. 10—Relative to the establishment of a boarding-school for Pit River Indians in Modoc County, California.

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

Senate Bill No. 35—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read first time, and referred to Committee on Judiciary.

Senate Joint Resolution No. 10 read, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, January 25, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 41—An Act to amend the Civil Code of this State by adding four new sections thereto, to be known as Sections 1314, 1315, 1316, and 1316*a*, relating to depositing wills with the County Treasurer, providing how the same shall be kept by him, how the same shall be delivered, and how the same shall be opened.

Also: Senate Bill No. 52—An Act to provide for the payment of the claim of John E. Raker, District Attorney of Modoc County, for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor.

Also: Senate Bill No 103—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

Also. Senate Bill No 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Also: Senate Bill No. 155—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Also: Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Also: Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 41—An Act to amend the Civil Code of this State by adding four new sections thereto, to be known as Sections 1314, 1315, 1316, and 1316*a*, relating to depositing wills with the County Recorder, providing how the same shall be kept by him, how the same shall be delivered, and how the same shall be opened.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 52—An Act to provide for the payment of a claim of Modoc County for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 103—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

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

Senate Bill No. 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 155—An Act making an appropriation for postage,

expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

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

Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento.

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

INTRODUCTION AND REFERENCE OF BILLS, ETC.

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

By Mr. Johnson: Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Cowan: Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditures thereof.

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

By Mr. Greer: Assembly Bill No. 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom.

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

Also: Assembly Bill No. 507—An Act to amend Sections 2641, 2644, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known and designated as Sections 2642 and 2642½, relating to the election, appointment of, and oath and bond of road overseers.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Schillig: Assembly Bill No. 508—An Act to amend Sections 1, 5, and 6 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.

By Mr. Stewart of Amador: Assembly Bill No. 509—An Act to amend Section 1727 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to Public Administrators.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 510—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons.

Read first time, and referred to Committee on Judiciary.

By Mr. Cromwell: Assembly Bill No. 511—An Act to amend Section 542 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 512—An Act to protect domestic fowls from ravages of dogs.

Read first time, and referred to Committee on Agriculture.

By Mr. Greer: Assembly Bill No. 513—An Act to repeal an Act entitled "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," approved April 1, 1897, relating to the Department of Highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Gans: Assembly Bill No. 514—An Act appropriating money for the payment of claims against the State in the County of Tehama, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1889, and prescribing the duties of the State Board of Examiners in relation to payment of such claims.

Read first time, and referred to Committee on Claims.

By Mr. Broughton: Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

Read first time, and referred to Committee on Corporations.

By Mr. Savage: Assembly Constitutional Amendment No. 16—To propose to the people of the State of California an amendment to Section 7 of Article LX of the Constitution of the State of California, in relation to the minimum period for the use of text-books in the common schools throughout the State.

Referred to Committee on Education.

Also: Assembly Constitutional Amendment No. 17—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 Article IV thereof, to be numbered Section 36 of said Article IV, relating to legislative power.

Referred to Committee on Judiciary.

RESOLUTIONS.

By Mr. Kelley:

Resolved, That the Sergeant-at-Arms be and he is hereby requested to allow the extension to the Chief Clerk's desk to remain, and that he be and he is hereby directed to construct suitable lockers and platforms for the same.

Resolution adopted.

By Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and forty-seven and twenty one hundredths dollars ($447.20), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per the following bills:

D. Johnston & Co.	$7 25
L. B. Cummings	14 00
Siller Bros.	10 00
Capital Gas Co.	6 40
John Breuner Co	65 70
Jos. Saunders	9 00
W. L. Reed (water bill)	24 00
Geo. B. Stack	46 50
Tom Scott	19 50
Ahl & Daily	98 00

Buffalo Brewing Co.	$10 00
Locke & Lavenson	60 00
F. R. Pulford	49 80
H. S. Crocker Co.	18 00
Mrs. C. McCall	5 00
Sunset Telephone and Telegraph Co.	4 05
Total	$447 20

Resolution referred to Committee on Ways and Means.

By Mr. Fisk:

Resolved, That the Sergeant-at-Arms, Assistant Sergeants-at-Arms, Pages, Gatekeepers, Doorkeepers, Porters, and Watchmen of the Assembly shall, while on duty, wear appropriate badges designating, in plain letters, their respective positions. Said badges to be procured by the Sergeant-at-Arms, and paid for out of the Contingent Fund of the Assembly

Resolution adopted.

By Mr. Johnson:

Resolved, That Hon. James L. Gillis, State Librarian, be and he is hereby requested to keep the Law Library open until ten o'clock P. M. of each day during the session of the Legislature, except Sunday.

Resolution adopted.

MOTIONS.

Mr. Carter moved that Assembly Bill No. 439 be recalled from Committee on Claims and referred to Committee on County and Township Governments.

So ordered.

Mr. Johnson moved that Assembly Constitutional Amendment No. 6 be recalled from Committee on Municipal Corporations and referred to Committee on Judiciary.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XII of the Constitution of the State of California, in relation to corporations.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend said Act by inserting after the word "corporations," in line thirteen, the words "or person"

Amendment adopted.

AMENDMENT No. 2.

Insert after the word "corporations," in line nineteen of the printed bill, the words "or person."

Amendment adopted.

Assembly Constitutional Amendment No. 2 ordered to print.

THIRD-READING FILE.

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for services rendered in defending prisoners from mob in Colusa county jail, in August, 1897.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, Kincaid, Laird, Levinson, Macbeth, McNeil, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Assembly Bill No. 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Irving, James, Johnson, Kelley, Laird, Levinson, Macbeth, McNeil, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Wright, and Mr Speaker—44.
NOES—Messrs Anderson of Santa Clara, Bennink, Brown of San Mateo, Chandler, Irish, Kincaid, Milice, Roberts, Sheridan, Walker, and Williams—11.

Title read and approved.

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Read third time.

Mr. Higby moved that Assembly Bill No. 252 be referred to a select committee of one to amend as follows:

Insert after the title the following: "The People of the State of California, represented in Senate and Assembly, do enact as follows."

So ordered.

Mr. Higby was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

HIGBY, Committee

Report adopted.

Assembly Bill No. 252 ordered to printer and on file for passage.

Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Laird, Levinson, Macbeth, McNeil, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—58.
NOES—None.

Title read and approved.

MOTION.

Mr. Treadwell moved that Assembly Bill No. 123 be recalled from Committee on Corporations and re-referred to Committee on Judiciary.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Laird, Levinson, Macbeth, McNeil, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schilling, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1893.

Read third time.

Mr. Guilfoyle moved that Assembly Bill No. 82 be referred to a select committee of one with instructions to amend as follows:

Strike out "Section 3" of the bill and renumber "Section 4" as "Section 3."

So ordered.

Mr. Guilfoyle was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

GUILFOYLE, Committee.

Report adopted.

Assembly Bill No. 82 ordered to print and on file for passage.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Tuesday, January 29, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, January 29, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—72.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Simpson, John, and Cavagnaro for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Friday, January 25, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals and asylums, having visited the State Hospital at Agnews, herewith presents the account of expenses of the members of the committee as follows:

Guilfoyle	$24 80
Radcliff	24 80
Macbeth	24 80
Henry	24 80
Miller	24 80
Cowan	24 80
Wright	24 80
Higby (substitute for Schillig)	24 80
Bennink	24 80
Total	$223 20

And we ask the adoption of the following:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Lawrence Schillig, chairman of the Committee on State Hospitals and

Asylums, for the sum of $223.20, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

SCHILLIG, Chairman.

Read, and referred to Committee on Mileage.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 443—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C Daly, plaintiff, against the State of California, defendant

Also: Assembly Bill No 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expenses incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs Charles F Curry, as Secretary of State of the State of California, No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of State of the State of California, defendant and respondent, and numbered San Francisco No. 2442.

Also: Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E. Dierssen, as assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Also: Assembly Bill No. 312—An Act making an appropriation to pay the claim of A. L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Also: Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

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

FISK, Chairman

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 129—An Act for the construction of a State highway or free wagon road from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, to connect with the most desirable public road leading to the Yosemite Valley, providing for the appointment of a Board of Commissioners and authorizing and directing said Board of Commissioners to perform certain duties relating to the construction of such highway, and to condemn land and property for the purpose aforesaid, and making an appropriation for the expenditures and purposes provided in this Act—have had the same under consideration, and respectfully report the same back, and recommend that the substitute offered therefor do pass, and that the author be permitted to withdraw the original bill, to wit: Assembly Bill No 129.

Also: Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River—have had the same under consideration, and respectfully report the same back, with four amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with five amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway, from a point on the Lake Tahoe Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, 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. 130—An Act to provide for the construction of a free wagon road from Los Banos, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Banos and Stayton Mine Road, and along the most direct public road from Stayton Mine to the town of Hollister, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with one amendment, and recommend that it do pass as amended.

MERRITT, Chairman

Assembly Bills Nos. 281, 249, 258, and 130 re-referred to Committee on Ways and Means.

Assembly Bill No. 129 withdrawn at request of author.

Assembly Bill No. 516 (Committee Substitute for Assembly Bill No. 129)—An Act to provide for the location, construction, and maintenance of a State highway from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, and making an appropriation therefor.

Read first time, and placed on file without reference to committee.

ON IMMIGRATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER. Your Committee on Immigration, to whom was referred Assembly Joint Resolution No. 2—Relative to Chinese immigration—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

ROBERTS, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 431—An Act to amend Section 737 of the Political Code of the State of California, relating to salaries of Superior Judges—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 444—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges, report the same back, with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 395—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874

Also: Assembly Bill No. 250—An Act to provide for the election of Justices of District Courts of Appeal, to take effect in case Assembly Constitutional Amendment No. 9 is ratified by the people.

Also: Assembly Constitutional Amendment No. 9—Relative to amending Article VI of the Constitution, relating to judiciary, and establishing a Court of Appeals

Also: Assembly Bill No. 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Also: Assembly Bill No. 86—An Act to amend Section 208 of the Penal Code.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production and to provide a penalty for the violation of said Act"—report the same back, with five amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 466—An Act to repeal Section 1402 of the Civil Code of the State of California, relating to the succession of community property

Also: Assembly Bill No. 467—An Act to amend Section 1401 of the Civil Code of the State of California, relating to the succession of community property.

Also: Assembly Bill No 468—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Also: Assembly Bill No. 469—An Act to amend Section 167 of the Civil Code of the State of California, relating to the liability of community property for debts of either spouse.

Report the same back without recommendation.

Also: Assembly Bill No 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals

Also: Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing, and defacing marks and brands on domestic animals.

Report the same back, and recommend that they do pass.

JOHNSON, Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No 403—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direc-

tion in the discharge of his duties as such Commissioner," approved March 24, 1893, and the amendments thereto, shall be taken

Also: Assembly Bill No 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and recommend that they do pass.

Also: Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and recommend that it do pass as amended.

RALSTON, Chairman.

Assembly Bill No. 435 re-referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 184—An Act providing for the levy of a special tax for specific public improvements within municipalities—report the same back, and respectfully recommend that the author be permitted to withdraw the same.

Also: That they have had under consideration Assembly Bill No 425—An Act regulating the hours of service on regular duty by members of the police department of cities, and cities and counties—and report the same back, and respectfully recommend that it do pass

Also: That they have had under consideration Assembly Bill No 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—and report the same back, with the recommendation that it do pass.

SAVAGE, Chairman.

Assembly Bill No. 184 withdrawn by author.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells and to prevent the waste of subterranean waters in this State," approved March 9, 1878—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Henry: Assembly Bill No. 517—An Act to amend Sections 3546, 3547, and 3555 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 Public Lands and Forestry.

By Mr. Johnson: Assembly Bill No. 518—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the Army and Navy of the United States.

Read first time, and referred to Committee on Judiciary.

By Mr. Carter: Assembly Bill No. 519—An Act to amend Section 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Pendleton: Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm-water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of public moneys, and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "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," approved April 1, 1897.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Anderson of Santa Clara: Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

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

Also: Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

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

By Mr. Higby: Assembly Bill No. 523—An Act to compel the registering, in counties wherein owned, of any boat, vessel, or craft not required to be registered by the laws of the United States.

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

By Mr. Brown of San Mateo: Assembly Bill No. 524—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Read first time, and referred to Committee on Claims.

By Mr. Chiles: Assembly Bill No. 525—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the Fortieth District.

Read first time, and referred to Committee on Agriculture.

By Mr. Kelley: Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi against the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Fisk: Assembly Bill No. 527—An Act to amend Section 963 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 528—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near San Fernando, and running thence to connect with the road known as the Fort Tejon Road, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Laird: Assembly Bill No. 529—An Act to amend Section 764 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. Broughton: Assembly Bill No. 530—An Act to amend Section

1460 of the Code of Civil Procedure, relative to embezzlement and surrender of property of the estate.

Read first time, and referred to Committee on Judiciary.

By Mr. Sheridan: Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 828 to 831*g*, inclusive, relating to actions for divorce.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 532—An Act to provide for the locating, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

MOTION.

Mr. Guilfoyle moved that Assembly Bills Nos. 405 and 406 be re-referred to Committee on Judiciary.

So ordered.

RESOLUTION.

By Mr. Irish:

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions have visited the State Prison at San Quentin, California, as per resolution heretofore introduced and adopted, and the following are entitled to two hundred and thirty-eight miles mileage, viz: Messrs Irish, Savage, Brady, Brown of San Mateo, Evatt, Franklin, Schlesinger, Simpson, and Kelley (in lieu of Mr. Merritt).

Resolved, That the State Controller is hereby authorized to draw his warrant for the amount of $214 20 in favor of John B. Irish, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

IRISH, Chairman.

Referred to Committee on Mileage.

REPORT OF FREE CONFERENCE COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR SPEAKER: Your Committee on Free Conference, concerning the report of the joint committee on Joint Rules, report that we have met a like committee of the Senate, consisting of Senators Leavitt, Cutter, and Greenwell, and we report that the Free Conference Committee are unable to agree.

H. W. BROWN,
Chairman of Committee on Free Conference of the Assembly.

MOTIONS.

Mr. Brown of San Mateo moved that the report be adopted and the committee discharged.

So ordered.

Mr. Johnson moved that a new committee of three, as a free conference on the disagreeing votes of the two houses on the Joint Rules of the two houses, be appointed, and that the Senate be requested to appoint a like committee.

So ordered.

APPOINTMENT BY SPEAKER.

The Speaker appointed as such committee Messrs. Johnson, Dunlap, and Cowan.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Assembly Bill No 54—An Act to amend an Act entitled "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 purposes 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.

Assembly Bill No. 42—An Act to add a new section to the Political Code, to be known as Section 3655*a*, providing for the listing and appraisement of property exempt from taxation, and reporting the same to the Legislature.

Assembly Bill No 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Assembly Bill No 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California and of any inmate of the Whittier State School, or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons or schools

Also: That the following bills have been correctly reengrossed:

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock, dogs and animals, except for medicinal purpose, making the same a felony, and providing for the punishment thereof.

Assembly Bill No 212—An Act to amend Section 737 of the Political Code, relating to the salaries of Superior Judges.

FRANKLIN, Chairman.

SPECIAL FILE.

Assembly Bill No. 105—An Act repealing Sections 1357 to 1383 of the Political Code, relating to primary elections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out in the printed bill the figures "1383," in the title to said Act, and inserting in lieu thereof the figures and words: "1380, both inclusive."

Amendment adopted.

AMENDMENT No. 2.

In line two of Section 1 of the printed bill, strike out the word "three" and insert in lieu thereof the words "both inclusive."

Amendment adopted.

Assembly Bill No. 105 ordered to print, engrossment, and third reading.

Assembly Bill No. 106—An Act adding a section to the Political Code, to be numbered 1171, relating to the submission to popular vote and adoption in certain counties and cities, and in all towns, of the provisions of Sections 1357 to 1370, both inclusive, of the Political Code, requiring the election of delegates to nominating conventions at primary elections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

In line one of the printed bill, in the title to said Act, strike out the figures "1171" and insert in lieu thereof the figures "1371"

Amendment adopted.

AMENDMENT No. 2.

In line two of Section 1, page one, of the printed bill, strike out the word "eleven" and insert in lieu thereof the word "thirteen."

Amendment adopted.

AMENDMENT No. 3.

In line four of the printed bill, of Section 1, page one, strike out the figures "1171," and insert in lieu thereof the figures "1371."

Amendment adopted.

Assembly Bill No. 106 ordered to print, engrossment, and third reading.

Assembly Bill No. 107—An Act to amend Section 1188 of the Political Code, pertaining to the nomination of candidates for public office by petition.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out of line two of the title of the printed bill the words "by petition."

Amendment adopted.

AMENDMENT No. 2

On page two of the printed bill, line twenty-three, strike out the words "but said name shall not"; also, all of line twenty-four of said page, and the words "existing party as to mislead voters," in line twenty-five of said page, and insert in lieu thereof the following words: "but no such new political party shall be allowed to take the name of any existing political party, nor the name of any existing political party with either an affix or prefix, or other word or words, or so similar to that of an existing political party as to deceive or mislead voters."

Amendment adopted.

AMENDMENT No. 3.

In line twenty-eight, page two of the printed bill, strike out the words "as such."

Amendment adopted.

AMENDMENT No. 4.

In line thirty-one, page two of the printed bill, insert after the word "law" the words "upon compliance with the conditions and provisions of said primary law."

Amendment adopted.

AMENDMENT No. 5.

In line thirty-five, page two of the printed bill, after the words "fail to," insert the words "nominate some candidate or fail to."

Amendment adopted.

AMENDMENT No. 6.

In line thirty-eight, page two of the printed bill, after the word "section," insert the words "which provide for the organization of political parties."

Amendment adopted.

Mr. Sheridan moved to further amend as follows:

In line thirty-seven of Section 1, page two of printed bill, strike out the words "exist as a party," and insert in lieu thereof the following: "enjoin or exercise, as such, the right to participate in any such primary election as to make any nomination for public office."

Amendment adopted.

Assembly Bill No. 107 ordered to print, engrossment, and third reading.

Assembly Bill No. 108—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions.

Read second time.

Mr. Treadwell submitted the following amendments·

AMENDMENT No. 1

Strike out the figures "1186½" in the title of the bill, and insert in place thereof "1186*a*"

Amendment adopted.

AMENDMENT No. 2.

Strike out the figures "1186½," in line four of the printed bill, and insert in place thereof "1186*a*."

Amendment adopted.

AMENDMENT No. 3.

Strike out the words "and one half," in line two of the printed bill, and insert in place thereof the letter "*a*."

Amendment adopted.

Assembly Bill No. 108 ordered to print, engrossment, and third reading.

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 110—An Act amending Section 1119 of the Political Code, relating to the registration of voters for primary elections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "transferred" in line seven, Section 1 of printed bill, insert the words "up to the fifteenth day next preceding such primary election."

Amendment adopted.

AMENDMENT No. 2.

Strike out of the printed bill all after the word "election," in line twelve, and all of lines thirteen, fourteen, and fifteen.

Amendment adopted.

Assembly Bill No. 110 ordered to print, engrossment, and third reading.

RESOLUTIONS.

By Mr. Dunlap:

Resolved, That the Chief Clerk is hereby directed to compile a book containing the list of committees of the Assembly with chairmen, and list of members of each committee, the Standing Rules of the Assembly; Standing Rules of the Senate, and the Joint Rules of the Senate and Assembly, with the exception of Rule 23 of the Joint Rules, which shall be omitted, and a blank page be left in lieu thereof for the purpose of writing said rule in when adopted There shall be 500 copies.

Resolution adopted.

By Mr. Johnson:

Resolved, That the State Controller is hereby authorized and directed to draw his warrant in favor of the Chief Clerk of the Assembly for one hundred dollars ($100.00), the same being for postage on printed matter mailed for members of the Assembly.

Resolution adopted.

THIRD-READING FILE.

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read third time.

Mr. Dunlap moved that a select committee of one be appointed to amend Assembly Bill No. 53 as follows:

Amend by inserting the word and figure "Section 2" before the word "this" in line forty-five, page two, of the printed bill.

So ordered.

Mr. Dunlap was appointed as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California—with instructions to amend, now reports that the instructions of the Assembly have been carried out

DUNLAP, Committee.

Report adopted.

Assembly Bill No. 53 ordered to print and reengrossment.

At eleven o'clock A. M., the Speaker called Mr. Cowan to the chair.

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock, dogs, and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—60.

NOES—None.

Title read and approved.

MOTION.

Mr. Higby moved that Assembly Bill No. 223 be re-referred to Committee on Fish and Game.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read third time.

Mr. Johnson moved that Assembly Bill No. 35 be referred to select committee of one with instructions to amend as follows:

After the words "entitled an Act," in the title, insert the words "to add a new section to the Penal Code, to be numbered 1588."

Also: After the word and figure "Section 1," in line one of the printed bill, insert the words "a new section is hereby added to the Penal Code to be numbered 1588," and to read as follows, viz: "Section 1588."

Also: Strike out the word and figure "Section 2," in line one of Section 2 of the printed bill.

Also: Strike out all of Sections 3 and 4
Also: Insert a semicolon after the word "bags," in line eleven of the printed bill

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act"—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee

Report adopted.

Mr. Anderson of Solano moved that a select committee of one be appointed to amend Assembly Bill No. 35 as follows:

Strike out all after "roads," in line fourteen, Section 1, printed bill, to the end of said section.

So ordered.

Mr. Anderson of Solano was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges, and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act"—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

A. ANDERSON, Committee.

Report adopted.

Mr. Duryea moved that a select committee of one be appointed to amend Assembly Bill No. 35 as follows:

Strike out of the title the words "and to provide for the sale thereof at actual cost of production."

So ordered.

Mr. Duryea was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR. SPEAKER. Your select committee of one, to whom was referred Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act"—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DURYEA, Committee.

Report adopted.

Assembly Bill No. 35 ordered to print and reengrossment.

Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics,

intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty thereof.

Read third time.

Mr. Webber moved that Assembly Bill No. 314 be re-referred to Committee on Judiciary.

So ordered.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination and trial of any convict committed to either of the State prisons of the State of California, and of an inmate of the Whittier State School or Preston School of Industry, including the costs of Coroner's inquest held on the body of any person confined in any such prisons and schools.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—58.

NOES—None

Title read and approved.

Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Laird, Levinson, Macbeth, Mattos, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—57.

NOES—None.

Title read and approved.

At eleven o'clock and forty-five minutes A. M., the Speaker resumed the chair.

Assembly Bill No. 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal

Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Fisk Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kincaid, Knowland, Levinson, Macbeth, Mattos, McNeil, Melick, Milice, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 42—An Act to add a new section to the Political Code, to be known as Section 3655*a*, providing for the listing and appraisement of property exempt from taxation, and reporting the same to the Legislature.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, Johnson, Kelley, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Milice, Myers, Ralston, Roberts, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved.

Assembly Bill No. 54—An Act to amend an Act entitled "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 purposes of sale, and providing a penalty for the selling or offering for sale any lots or tracts in cities, towns, or additions to cities, towns, subdivisions, or additions thereto, before such maps are filed and recorded.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Ralston, Roberts, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Cromwell, Duryea, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Laird, Macbeth, McNeil, Melick, Merritt, Milice, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—48.

NOES—None.

Title read and approved.

RESOLUTION OF RESPECT.

By Mr. Johnson:

WHEREAS, We have learned that our friend and fellow member, Hon. Oscar Sutro, has sustained an irreparable loss by the removal from this life to the land beyond the grave of his dearly beloved mother; therefore, be it

Resolved, That the heartfelt sympathy of every member of the Assembly is hereby extended to Hon. Oscar Sutro in this his hour of bereavement.

Resolution adopted by rising vote.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Cromwell, Dunlap, Duryea, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Treadwell gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 8 was this day passed.

Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for annual reasonable expenses, and what proportion is for annual receipts and profits.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schilig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

ADJOURNMENT.

At twelve o'clock and twenty-three minutes P. M., on motion of Mr. Bliss, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Wednesday, January 30, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, January 30, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Broughton and John for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Monday, January 28, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Also, that the following bill has been correctly engrossed: Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

FRANKLIN, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No 291—An Act to define and establish a portion of the eastern boundary of the State of California—have had the same under consideration, and respectfully report the same back, with one amendment, and recommend that it do pass as amended.

CROMWELL, Chairman.

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of T L Horan vs J F. Collins, for a seat in this Assembly from the Twenty-ninth Assembly District, of the City and County of San Francisco, beg leave to report that after an examination of the testimony submitted, and finding that the testimony would not warrant a recount of the ballots, beg leave to report that J. F. Collins, having received a majority of the votes cast, as shown by the official returns, is entitled to his seat in this Assembly from the Twenty-ninth Assembly District, and we recommend the following resolution, to wit:

Resolved, That J F. Collins is and he is hereby declared to be entitled to retain his seat, and to retain the office of Assemblyman from and in the Twenty-ninth Assembly District of the State of California.

GUILFOYLE, Chairman.

Report and resolution adopted.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1901.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and to collect a fee therefor, for the purpose of devoting such fee to the construction of paths along county roads for the use of pedestrians, and the wheeling thereon of such vehicles—have had same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 321—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California—and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 101—An Act to amend Section 2645 of the Political Code of the State or California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on County Governments.

MERRITT, Chairman.

Assembly Bill No. 101 re-referred to Committee on County and Township Governments.

MOTIONS.

Mr. Treadwell moved to reconsider the vote whereby Assembly Bill No. 8 was on yesterday passed.

Mr. Melick moved to lay the motion to reconsider on the table.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, January 28, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court, and their salaries

Also: Senate Bill No. 24—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Also: Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874

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

Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court, and their salaries.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 24—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Read first time, and ordered on file for second reading (being identical with Assembly Bill No. 191).

Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874.

Assembly Bill No. 25 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, January 29, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 113—An Act relative to the meeting place of high school boards within municipal corporations

Also: Senate Bill No 37—An Act appropriating money for improvement and repairs on the laundry at the Preston School of Industry.

Also Senate Bill No 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Also: Committee Substitute for Senate Bill No 127—To appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation

Also: Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the Attorney-General for the remainder of the fifty-first fiscal year

Also: Senate Bill No. 141—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. 42—An Act to add a new section to the Penal Code, to be numbered 499*a*, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Also: Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions.

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

Senate Bill No. 113—An Act relative to the meeting place of high school boards within municipal corporations.

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

Senate Bill No. 37—An Act appropriating money for improvement and repairs on the laundry at the Preston School of Industry.

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

Senate Bill No. 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Read first time, and referred to Committee on Claims.

Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation.

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

Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the Attorney-General for the remainder of the fifty-first fiscal year.

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

Senate Bill No. 141—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 Roads and Highways.

Senate Bill No. 42—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing a punishment therefor.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions.

Read first time, and referred to Committee on Roads and Highways.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Brown of San Mateo: Assembly Bill No. 533—An Act to amend Section 2524 of the Political Code of the State of California.

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

Also: Assembly Bill No. 534—An Act to amend Section 2921 of the Political Code of the State of California.

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

Also: Assembly Bill No. 535—An Act to amend Section 3527 of the Political Code of the State of California, and to validate all contracts for harbor improvements made thereunder.

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

Also: Assembly Bill No. 536—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water front of the City and County of San Francisco, approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895.

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

Also: Assembly Bill No. 537—An Act concerning, confirming, and ratifying leases and other contracts made by any officer or boards of officers of this State.

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

Also: Assembly Bill No. 538—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads, and confirming and ratifying leases and other contracts made by any officer, or board of officers, of this State.

Read first time, and referred to Committee on Corporations.

Also: Assembly Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to Section 3 of Article XV of the Constitution of the State of California, relating to harbor fronts and tide waters.

Referred to Committee on Commerce and Navigation.

By Mr. Myers: Assembly Bill No 539—An Act to amend an Act entitled "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," approved March 31, 1897, by adding a new section thereto, to be known as Section 4½.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Henry: Assembly Bill No. 540—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 referred to Committee on Public Morals.

By Mr. Guilfoyle: Assembly Bill No. 541—An Act to define the duties and liabilities, and to limit the powers of employment agents.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 542—An Act regulating the use of trade-union labels upon printed matter furnished by or for the State of California.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 543—An Act regulating the hours of service on regular duty by members of the fire department of cities, and cities and counties.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Collins: Assembly Bill No. 544—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age.

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

Also: Assembly Bill No. 545—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Read first time. and referred to Committee on Labor and Capital.

By Mr. Stewart of Amador: Assembly Bill No. 546—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 parents to the counties from which their children are committed," approved March 26, 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. Webber: Assembly Bill No. 547—An Act making appropriations of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections of the Napa State Hospital, at Napa.

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

Also: Assembly Bill No. 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

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

Also: Assembly Bill No. 549—An Act making appropriation of money to provide for certain improvements and repairs at the Napa State Hospital, at Napa.

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

Also: Assembly Bill No. 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital.

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

Also: Assembly Bill No. 551—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital, at Napa.

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

By Mr. Evatt: Assembly Bill No. 552—An Act to amend Section 1970 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 553 –An Act to limit the meaning of the word "conspiracy," and also the use of "restraining orders," and "injunctions," as applied to disputes between employers and employés in the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Sheridan: Assembly Bill No. 554—An Act to amend Section 896 of the Penal Code, relating to challenges to an individual grand juror.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 555—An Act to amend Section 15 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

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

By Mr. Haley: Assembly Bill No. 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation and the consumers of such water.

Read first time, and referred to Committee on Irrigation.

By Mr. Anderson of Solano: Assembly Joint Resolution No. 12—Relative to limiting the effect of the regulation of interstate commerce between the several States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison or reformatory.

Read, and referred to Committee on Federal Relations.

By Mr. Ralston: Assembly Bill No. 557—An Act concerning the erection of poles with wires thereon, and laying conduits, cables, and wires in the streets of cities and towns for telephonic and telephone-telegraphic service to inhabitants of such cities or towns, and the use of such streets for such services by individuals and domestic corporations.

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

By Mr. Pendleton: Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

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

Also: Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health.

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

Also: Assembly Bill No. 560—An Act to prevent the introduction, and provide for the investigation and suppression of, contagious or infectious diseases, and appropriating money to be used for such purpose.

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

By Mr. Sheridan: Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Walker: Assembly Bill No. 562—An Act to amend an Act

entitled "An Act to regulate the sale of certain poisonous substances," approved April 16, 1880.

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

By Mr. Anderson of Solano: Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles.

Read first time, and referred to Committee on Labor and Capital.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No. 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COLLINS, Chairman.

Assembly Bill No. 261 re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 368—An Act making an appropriation to pay the claim of O O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Assembly Bill No. 368 re-referred to Committee on Ways and Means.

SECOND-READING FILE.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XII of the Constitution of the State of California, in relation to corporations.

Mr. Hanen moved to amend as follows:

In line thirteen, after the word "corporations," insert a comma.

Also: In line fourteen strike out the words "or person" and insert in lieu thereof the words "person or persons"

Also: In line nineteen strike out the words "or person" and insert the words "person or persons" in lieu thereof.

Also: In line nineteen insert a comma after the word "corporations."

Amendments adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend said Act by inserting after the word "corporations," in line thirteen of the printed bill, the words "or persons."

Amendment adopted.

AMENDMENT No 2.

Insert after the word "corporations," in line nineteen of the printed bill, the words "or person."

Amendment adopted.

Assembly Constitutional Amendment No. 2 ordered to print and engrossment.

Assembly Constitutional Amendment No. 9—To propose to the people of the State of California amending the Constitution of the State of

California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17. 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal.

Read.

Passed on file.

THIRD-READING FILE.

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Read third time.

Mr. Henry moved that a select committee of one be appointed to amend Assembly Bill No. 252 as follows:

Strike out the words "buys, sells, takes, catches, kills, or has in his possession, any shrimp or," in lines twelve and thirteen, page two, of printed bill, as amended January 28, 1901.

Roll call was demanded by Messrs. Schlesinger, Henry, and Collins.

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

AYES—Messrs. Brady, Brown of San Francisco, Cavagnaro, Chiles, Clarke, Collins, Evatt, Fisk, Franklin, Guilfoyle, Haley, Henry, Hubbard, Kelley, Laird, Ray, Savage, Schlesinger, Simpson, and Stewart of Amador—20.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brown of San Mateo, Carter, Chandler, Cowan, Cromwell, Dunlap, Duryea, Gans, Greer, Hanen, Hasson, Higby, Irving, James, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Milice, Miller, Radcliff, Ralston, Roberts, Schilig, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Wright—40.

The question being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Gans, Greer, Hasson, Higby, Hubbard Irving, James, Kelley, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Roberts, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—46.

NOES—Messrs. Brown of San Francisco, Cavagnaro, Collins, Evatt, Fisk, Franklin, Guilfoyle, Haley, Henry, Laird, Ray, Savage, Schlesinger, and Webber—14

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Henry gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 252 was this day passed.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

The question being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irving, James, Johnson, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, Miller, Ralston, Ray, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—Messrs. Dunlap and Melick—2.

Title read and approved.

At eleven o clock and five minutes A. M., Speaker pro tem. Ralston in the chair.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing actual expenses to the Committee on State Prisons and Reformatory Institutions, beg leave to report as follows:

Your Committee on State Prisons and Reformatory Institutions have visited the State Prison at San Quentin, California, as per resolution heretofore introduced and adopted, and the following are entitled to two hundred and thirty-eight miles mileage, viz: Messrs Irish, Savage, Brady, Brown of San Mateo, Evatt, Franklin, Schlesinger, Simpson, and Kelley (in lieu of Mr. Merritt).

Resolved, That the State Controller is hereby authorized to draw his warrant for the amount of $214 20 in favor of John P. Irish, payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

EVATT, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing actual expenses to the Committee on State Hospitals and Asylums, beg leave to report as follows:

Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals and asylums, having visited the State Hospital at Agnews, herewith present the account of expenses of the members of the committee, as follows:

Guilfoyle	$24 80
Radcliff	24 80
Macbeth	24 80
Henry	24 80
Miller	24 80
Cowan	24 80
Wright	24 80
Higby (substitute for Schillig)	24 80
Bennink	24 80
	$223 20

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Lawrence Schillig, Chairman of the Committee on State Hospitals and Asylums, for the sum of $223.20, and the Treasurer is hereby directed to pay the same 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.

EVATT, Chairman

Report and resolution adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Brady:

Resolved, That the Committee on Commerce and Navigation, and the clerk thereof, be given leave of absence for the purpose of visiting San Francisco and examining matters referred to in Assembly Bill No. 237, now before said committee

Resolution adopted.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as

Secretary of State of California," No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of the State of California, defendant and respondent," and numbered San Francisco No. 2442.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 19.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 19 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as Secretary of State of California" No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs Charles F. Curry, as Secretary of the State of California, defendant and respondent," and numbered San Francisco No 2442—and do now report the same, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as Secretary of State of California," No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of the State of California, defendant and respondent," and numbered San Francisco No. 2442.

The following committee amendment was submitted:

Amend by striking out the words "This Act shall take effect from and after its passage," Section 3, and inserting in lieu thereof the following: "Take effect and be payable on and after July 15, 1901."

Amendment adopted.

Assembly Bill No. 19 ordered to print, engrossment, and third reading.

Assembly Bill No. 206—An Act to prevent fraud in the sale of Paris green.

Mr. Anderson of Solano moved to substitute on the file for Assembly Bill No. 206 Assembly Bill No. 474.

So ordered.

Assembly Bill No. 474 (Committee Substitute for Assembly Bill No. 206)—An Act to prevent fraud in the sale of Paris green as an insecticide.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 99—An Act to provide for local improvements upon streets. lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901."

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1

Amend page four, line twenty-one, of the printed bill, by inserting the word "twice" after the word "published."

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "for" in line twenty-three, page four of the printed bill.

Amendment adopted.

AMENDMENT No 3.

Strike out the word "two" in line twenty-four, page four of the printed bill, and insert in lieu thereof the word "ten."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "next preceding" in line twenty-four, page four of the printed bill, and insert in lieu thereof the word "before."

Amendment adopted.

AMENDMENT No. 5.

In line twenty, page five of the printed bill, after the word "thereto," insert the words "or interest therein."

Amendment adopted.

AMENDMENT No. 6.

Amend page fifteen, Section 25, lines five to ten of the printed bill, by striking out, after the words "eighty-five," commencing with the word "and," to and including the word "also," in line ten, and inserting in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No. 7.

Amend line sixty-seven, page ten of the printed bill, by inserting in front of the word "presiding" the words "title of," and strike out quotation mark before said word "presiding."

Amendment adopted.

AMENDMENT No. 8.

On page eight, line forty of the printed bill, amend by inserting after the word "sale" the words "provided the same have not been paid before the expiration of said twelve days."

Amendment adopted.

Assembly Bill No. 99 ordered to print, engrossment, and third reading.

Assembly Bill No. 98—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California, by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

Read second time.

The following committee amendment was submitted:

Amend line five of the printed bill by inserting before the word "any" the figures "349."

Amendment adopted.

Assembly Bill No. 98 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 361—An Act to amend the Penal Code by adding a new section, to be known as Section 637*a*, relating to game—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HIGBY, Chairman.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 443—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,828, entered of record October 10, 1893, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 443.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 443 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 443—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,828, entered of record October 10, 1893, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J C. Daly, plaintiff, against the State of California, defendant—and do now report the same, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 443—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,828, entered of record October 10, 1893, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff.

The following committee amendment was submitted:

Amend by striking out of Section 4, line one, the word "immediately," and inserting the following: "from and after the first day of January, 1902"

Amendment adopted.

Assembly Bill No. 443 ordered to print, engrossment, and third reading.

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Read second time.

Mr. Savage moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 279.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 279 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery—and do now report the same, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 2, line three, printed bill, the words "for attempted highway robbery," and inserting the following: "a highway robber."

Amendment adopted.

AMENDMENT No. 2.

Amend the title of the bill by striking out, in line three thereof, the words "for attempted highway robbery," and inserting the following: "a highway robber."

Amendment adopted.

Assembly Bill No. 279 ordered to print, engrossment, and third reading.

Assembly Bill No. 312—An Act making an appropriation to pay the claim of A. L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Read second time.

Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E. Dierssen, an assignee of George H. Stewart, for the arrest

of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bills Nos. 312 and 369.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bills Nos. 312 and 369 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 312—An Act making an appropriation to pay the claim of A L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Also: Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E Dierssen, an assignee of George H. Stewart, for the arrest of W H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

And do now report the same back, and recommend that Assembly Bill No. 369 do pass, and Assembly Bill No. 312 do pass as amended.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 312—An Act making an appropriation to pay the claim of A. L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

The following committee amendments were submitted:

Amend the title by striking out all the words in the title after the word "Wood" in line one thereof.

Also: Insert after the word "appropriation," in line one, the words "of three hundred dollars."

Also: Insert after the word "Wood," in line one, the words "against the State of California."

Also: Amend by striking out of Section 1, in lines two, three, and four, the following words: "for the arrest and conviction of Francisco Torres, the same being a reward offered by Governor H. H Markham for said arrest and conviction," and inserting the following: "against the State of California," in lieu thereof.

Amendments adopted.

Assembly Bill No. 312 ordered to print, engrossment, and third reading.

Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E. Dierssen, an assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Read second time, ordered to engrossment and third reading.

At eleven o'clock and fifty minutes A. M., the Speaker resumed the chair.

Assembly Bill No. 289—An Act to regulate the establishment of and maintenance of public laundries and public wash-houses in the cities and counties of the State.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

On page one, Section 2, line five of printed bill, after the word "premises," insert the word "where."

Amendment adopted.

AMENDMENT No. 2.

On page one, Section 2, line six of printed bill, after the word "or," insert the word "in."

Amendment adopted.

AMENDMENT No. 3.

On page two, Section 4, line seven of printed bill, after the word "not," insert the word "more."

Amendment adopted.

AMENDMENT No. 4.

On page two, Section 4, line eight of printed bill, after the word "not," insert the word "more."

Amendment adopted.

AMENDMENT No. 5.

On page two, Section 5 of printed bill, strike out the word "the" and insert in lieu thereof the word "this."

Amendment adopted.

Assembly Bill No. 289 ordered to print, engrossment, and third reading.

Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Read second time, subject to amendment, and passed on file.

Assembly Bill No. 313—An Act to add a new section to the Penal Code of California, to be known and designated as Section 1596, relating to the furnishing by the Wardens of the State prisons of the State of California a photograph and a complete description of each convict sixty days before such convict is released from said State prison.

Assembly Bill No. 313 refused second reading.

Assembly Bill No. 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaged in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof, and placing them under the supervision of the Bank Commissioners.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line fourteen, by inserting the letter "r" at the end of the word "treasure."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, line six, by inserting the letter "r" at the end of the word "treasure."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 2, line eleven, by inserting the letter "r" at the end of the word "treasure."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 2, line eighteen, by inserting the letter "r" at the end of the word "treasure."

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out of Section 5, line three, the letters "on" of the word "transaction," and inserting in lieu thereof the letters "ng."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 5, line thirteen, by inserting the letter "r" at the end of the word "treasure."

Amendment adopted.

Assembly Bill No. 334 ordered to print, engrossment, and third reading.

Assembly Bill No. 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses.

Read second time.

The following committee amendment was submitted:

Strike out all after the word "only," in line fourteen, all of line fifteen, and all of line sixteen in the printed bill.

Amendment adopted.

Assembly Bill No. 377 ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Higby:

Resolved, That the Committee on Fish and Game be and they are hereby directed to visit the State Fish Hatchery at Sisson, and a leave of absence is hereby granted the same for the purpose of inspecting that institution as to its condition and requirements.

Resolution adopted.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "after," in line six of the printed bill, insert the word "reasonable."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "each day of such existence after," in line nine of the printed bill, and insert in lieu thereof the words "the existence of such nuisance for each and every day after such."

Amendment adopted.

AMENDMENT No. 3.

Add a new section, as follows: "SEC. 2. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 303 ordered to print, engrossment, and third reading.

MOTION.

Mr. Greer moved that Assembly Bill No. 124 be recalled from Committee on Ways and Means and re-referred to Committee on Roads and Highways.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 190—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Read second time.

Mr. Guilfoyle moved to amend as follows:

Amend by striking out of Section 1, lines three, four, and five, the words "and all bonds held or that may be held by the trustees of such university in trust for the benefit of such university."

MOTIONS.

Mr. Fisk moved that the Assembly do now adjourn.

Motion lost.

Roll call was demanded by Messrs. Johnson, Sheridan, and Ralston, upon Mr. Guilfoyle's motion.

At twelve o'clock and twenty nine minutes P. M., Mr. Brown moved to extend the time of recess ten minutes.

So ordered.

The question now being on the adoption of the amendment.

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

AYES—Messrs Berry, Brady, Brown of San Francisco, Carter, Cavagnaro, Chiles, Collins, Cowan, Evatt, Feliz, Fisk, Franklin, Guilfoyle, Haley, Hasson, Henry, Hourigan Kincaid, Laird, Merritt, Miller, Ray, Schlesinger, Sheridan, Stewart of Amador, Treadwell, and Webber—27.

NOES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Bliss, Brown of San Mateo, Chandler, Clarke, Cromwell, Dunlap, Duryea, Gans, Greer, Hanen, Irving, James, Johnson, John, Kelley, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Roberts, Savage, Schilig, Simpson, Stewart of San Diego, Sutro, Walker, Williams, Wright, and Mr. Speaker—40.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901

MR SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the treaty of Cahuenga was made, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that it be re-referred to Committee on Ways and Means

Also: Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No 220—An Act providing for the creation and management of the California Redwood Park

Also: Assembly Bill No. 148—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass, and that they be re-referred to Committee on Ways and Means.

HASSON, Acting Chairman.

Assembly Bills Nos. 382, 220, and 148 re-referred to Committee on Ways and Means.

ADJOURNMENT.

At twelve o'clock and thirty-five minutes P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, January 31, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hassen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Radcliff for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Tuesday, January 29, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 350—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Also: Senate Bill No 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Also: Senate Bill No. 45—An Act making an appropriation to pay the claim of the

City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years

Also: Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the fiftieth fiscal year.

Also: Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years.

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

FISK, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred a resolution by Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and forty-seven and twenty one hundredths dollars ($447.20), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per the following bills:

D Johnston & Co.	$7 25
L B. Cummings	14 00
Siller Bros.	10 00
Capital Gas Co.	6 40
John Breuner Co.	65 70
Jos Saunders	9 00
W. L. Reed (water bill)	24 00
Geo. B. Stack	46 50
Tom Scott	19 50
Ahl & Daily	98 00
Buffalo Brewing Co.	10 00
Locke & Lavenson	60 00
F. R. Pulford	49 80
H S Crocker Co.	18 00
Mrs C McCall	5 00
Sunset Telephone and Telegraph Co.	4 05
Total	$447 20

Also: A resolution by Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of thirteen hundred and seventeen and fifty one hundredths dollars ($1317.50) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for the attached bill, as per resolution of January 8, 1901, and adopted January 17, 1901.

Also: A resolution by Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and thirty-five and seventy-five one hundredths dollars ($435.75) in favor of W. O Banks, Sergeant-at-Arms of the Assembly, to pay for attached bill, as per resolution of January 8, 1901.

Also: A resolution by Mr. Bliss:

Resolved, That the Controller is hereby authorized and directed to draw his warrant against the appropriation for contingent expenses of the Assembly, thirty-fourth session, for four hundred and seventeen dollars and fifty cents ($417 50) to pay the per diem of the officers and clerks of the Assembly, thirty-third session, for the last day of said session, the same not having been paid, owing to the appropriation for said thirty-third session having been exhausted.

Also: A resolution by Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of twenty-seven and fifty one hundredths dollars ($27.50) in favor of W O Banks, Sergeant-at-Arms of the Assembly, to pay for attached bill, as per resolution of January 17, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

FISK, Chairman.

Report and resolutions adopted.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Also: Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

Also: Assembly Bill No 412—An Act to amend Section 1238 of the Political Code, relating to elections.

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

MACBETH, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code—report the same back, and recommend that it do pass

Also: Assembly Bill No. 77—An Act to amend Sections 1136 and 1137 of the Penal Code—report the same back, with four amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 165—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 594—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State, and to add new sections to said Act, to be numbered, respectively, 275*a*, 275*b*, 275*c*, 275*d*, relating to the same subject—report the same back, with two amendments and recommend that it do pass as amended.

Also: Assembly Bill No 386—An Act to amend Sections 296 and 297 of the Civil Code of California, and adding a new section to the said Civil Code, to be known and numbered as Section 296*a*, prescribing the duties of the Secretary of State relative to filing articles of incorporation, and to prevent duplicating names—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property—report the same back without recommendation.

JOHNSON, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 274—An Act to repeal Section 3652 of the Political Code, relating to road taxes—respectfully report the same back without recommendation.

Also: Assembly Bill No 493—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora at a point known as the "Foot of the Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway—respectfully report the same back, with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No 124—An Act to provide for the construction of a State highway, or model wagon road, from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock, and granite or stone blocks for drains or culverts therefor—have had the same under consideration, and respectfully report the same back, with three amendments, and recommend that it do pass as amended.

MERRITT, Chairman

Assembly Bill No. 124 re-referred to Committee on Ways and Means.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No 499—An Act to amend 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, etc,"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 497—An Act to amend Section 1 of an Act to promote the horticultural interests of the State by providing County Boards of Horticulture, etc, approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McNEIL, Chairman.

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, 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. 211—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor—have had

the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, it being identically the same as Senate Bill No. 160.

HENRY, Chairman.

Senate Bill No. 160 re-referred to Committee on Ways and Means.

Assembly Bill No. 211, being identical with Senate Bill No. 160, withdrawn by author.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry—have had the same under consideration, and report back and recommend that the same do pass, and under the rule be referred to the Committee on Ways and Means.

IRISH, Chairman.

Assembly Bill No. 269 re-referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Foster: Assembly Bill No. 564—An Act to add a new section to the Civil Code, to be known as Section 648*b*, relating to the paid-in capital stock of building and loan associations, and the impairment or reduction thereof, and defining when such associations shall be deemed to be insolvent.

Read first time, and referred to Committee on Corporations.

By Mr. Atherton: Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor.

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

By Mr. Johnson: Assembly Bill No. 566—An Act making an appropriation to pay claim of Louis Schuckman, for the arrest and conviction of J. C. Sharpe for attempted highway robbery.

Read first time, and referred to Committee on Claims.

By Mr. Melick: Assembly Constitutional Amendment No. 19—Proposing that Section 1 of Article II of the Constitution of California, relating to the rights of citizens in voting, be amended by extending the right to vote to females over the age of twenty-one years, for the purpose of electing school trustees, boards of education, and other school officers, or for voting upon issuance of school bonds or the levy of school taxes when such school bonds or the levy of school taxes or such school matters are the only matters voted upon at such elections.

Referred to Committee on Judiciary.

By Mr. Franklin: Assembly Bill No. 567—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Read first time, and referred to Committee on Labor and Capital.

Also: Assembly Bill No. 568—An Act to prevent the making of gunpowder, nitro-glycerine, fireworks, or other explosives within one mile of a track of any railway over which passengers are conveyed, or of a

public highway, or in or within any city, city and county, or town, and providing for the punishment thereof.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

Also: Assembly Bill No. 569—An Act to amend Sections 319, 320, 321, 322, 323, 324, 325, and 326 of the Penal Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Dunlap: Assembly Bill No. 570—An Act to amend Section 379 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 571—An Act to authorize any taxpayer to bring an action on his relation in the name of the State, to abate any public nuisance in any way affecting him, or his family, or his property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 572—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 680.

Read first time, and referred to Committee on Judiciary.

By Mr. Cromwell: Assembly Bill No. 573—An Act to amend Section 3818 of the Political Code, relating to public lands and revenue and taxation.

Read first time, and referred to Committee on Judiciary.

By Mr. Schlesinger: Assembly Bill No. 574—An Act to amend Section 1379 of the Code of Civil Procedure of the State of California, relating to the administration of estates.

Read first time, and referred to Committee on Judiciary.

By Mr. Haley: Assembly Joint Resolution No. 13—Relative to placing grain bags on the free list.

Referred to Committee on Federal Relations.

By Mr. Webber: Assembly Bill No. 575—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane, and making an appropriation therefor.

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

By Mr. Knowland: Assembly Bill No. 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments."

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

By Mr. Sutro: Assembly Bill No. 577—An Act to amend Section 3819 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Franklin: Assembly Bill No. 578—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377. 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections, within counties and municipal corporations of the first, second, third, fourth, fifth, and sixth classes, and in any consolidated city and county within this State.

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

By Mr. Higby: Assembly Bill No. 580—An Act supplemental to an

Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874.

Read first time, and referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 581—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding twenty-five thousand inhabitants in the State of California; for furnishing electric lights to the inhabitants thereof, and establishing the method of fixing said rates, and providing for a penalty for a violation of the provisions of this Act.

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

By Mr. Savage: Assembly Bill No. 582—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Bauer: Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Read first time, and referred to Committee on Education.

By Mr. Williams: Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway, commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Irish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Webber: Assembly Bill No. 585—An Act to amend Sections 2, 10, 14, and 17, and to add two new sections, to be known and designated as Sections 18 and 19, of an Act entitled "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 Veteran's 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," approved March 11, 1897.

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

At ten o'clock A. M., the Speaker called Mr. Fisk to the chair.

MOTION.

Mr. James moved that Assembly Bill No. 250 (88 on file) be placed immediately after Assembly Constitutional Amendment No. 9 (16 on file).

So ordered.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That Frank H Owen, Assistant Chief Clerk of the thirty-third session, and Clarke Howard, Assistant Minute Clerk, who were present and assisted in the temporary organization of this House, and did their work at the desk for two days, be each allowed $12 for such services; and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same

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

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Williams—60.

NOES—None

By Mr. Schillig:

Resolved, That the resolution heretofore adopted directing the Chief Clerk to mail copies of all bills and resolutions to four persons, or papers, for each member, be and the same is hereby rescinded

Resolved, That the Chief Clerk mail, on Friday of each week, the Daily History of the Assembly of that day to four persons, or newspapers, to be designated by each member of the Assembly.

Resolution adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed:

Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act."

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Also, report that the following bills have been correctly engrossed

Assembly Bill No. 105—An Act repealing Sections 1357 to 1383 of the Political Code, relating to primary elections.

Assembly Bill No 106—An Act adding a section to the Political Code, to be numbered 1171, relating to the submission to popular vote and adoption in certain counties and cities, and in all towns, of the provisions of Sections 1357 to 1370, both inclusive, of the Political Code, requiring the election of delegates to nominating conventions at primary elections.

Assembly Bill No. 107—An Act to amend Section 1188 of the Political Code, pertaining to the nomination of candidates for public office by petition

Assembly Bill No 108—An Act adding a section to the Political Code, to be numbered 1186½, relating to party conventions

Assembly Bill No. 110—An Act amending Section 1119 of the Political Code, relating to the registration of voters for primary elections.

Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code.

Assembly Bill No. 474—An Act to prevent fraud in the sale of Paris green used as an insecticide

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

Assembly Bill No. 369—An Act appropriating $300 to pay the claim of George E. Dierssen, as assignee of George H Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest)

Assembly Bill No. 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California

Assembly Bill No. 190—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

FRANKLIN, Chairman

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No. 410—An Act amending Section 1189 of the Political Code, relating to elections—have had the same under consideration, and respectfully report the same back,

and recommend that the accompanying bill be substituted therefor, as a committee substitute.

MACBETH, Chairman.

Report adopted.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Election Laws: Assembly Bill No. 579 (Substitute for Assembly Bill No. 410)—An Act to amend Section 1192 of the Political Code, relating to elections.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 30, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Constitutional Amendment No. 5, have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw same.

Also: Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman

Assembly Constitutional Amendment No. 5 withdrawn by author.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 267—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

IRISH, Chairman.

Assembly Bill No. 267 re-referred to Committee on Ways and Means.

At ten o'clock and forty-three minutes A. M., the Speaker resumed the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Fisk:

WHEREAS, Direct charges have been made that various forms of Chinese and other gambling games forbidden by the laws of this State are being conducted and carried on openly in the City and County of San Francisco; and

WHEREAS, It has been charged that the Police Department of said city and county has for some time declared its inability to suppress said gambling games; and

WHEREAS, It is also charged that the said Police Department of San Francisco, in view of its acknowledged inability to close said games and punish such offenders, has entered into a compact or agreement with said persons operating and conducting said gambling games to allow said gambling games to run openly and without molestation, and in direct violation of the laws and statutes in force in this State; and

WHEREAS, Such charges have been given wide publicity in the press, and should therefore be investigated, to the end that, if found to be true, the Legislature should enact such necessary legislation as will enable the Police Department of the City and County of San Francisco to suppress such gambling games, or, should it be found that the present laws of the State are sufficient to enable the said Police Department to bring about the suppression of said gambling games and the conviction and punishment of the guilty parties, then to recommend such legislative action as will require and compel the said Police Department and officials in control in said city and county to at once suppress such gambling games and punish the offenders against the laws of the State; now, therefore, be it

Resolved, That a select committee of five members of the Assembly be appointed by the Speaker to immediately and fully, thoroughly and carefully, investigate each and all of said charges, whether direct or indirect, and to report its findings to this House; and that said committee have full power to subpœna witnesses, administer oaths, take testimony, send for persons, books, telegrams, and papers, to employ a clerk and a stenographer, and that it have leave to sit at the City and County of San Francisco during the session of the Assembly, together with such other powers as shall be neces-

sary for a full performance of its duties, and to report fully, and as speedily as possible, with such recommendations as to necessary legislation in the premises as it may deem proper.

Mr. Feliz moved that the resolution be printed in the Journal, to be taken up immediately after reading of the Journal to-morrow.

Motion lost.

Roll call was demanded by Messrs. Melick, Duryea, and Feliz.

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

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Bennink, Bliss, Broughton, Butler, Clarke, Cromwell, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Henry, Hourigan, Hubbard, Irish, Johnson, John, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—46

NOES—Messrs Atherton, Berry, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Dunlap, Feliz, Hanen, Hasson, Irving, James, Kincaid, Levinson, Milice, Miller, Ray, Rutherford, Simpson, Stewart of Amador, and Williams—22

NOTICE OF RECONSIDERATION.

Mr. Melick gave notice that on next legislative day he would move for a reconsideration of the vote whereby the resolution by Mr. Fisk was this day adopted

APPOINTMENT BY SPEAKER.

The Speaker appointed as such committee Messrs. Knowland, Webber, Schillig, Wright, and Laird.

MOTION.

Mr. Johnson moved to take up messages from the Governor.

So ordered.

MESSAGE FROM THE GOVERNOR

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, January 31, 1901

To the Assembly of the State of California

I have the honor to represent to your honorable body that upon Sunday, the twenty-seventh day of this month, I received information that the United States Treasury Department had sent to this State a commission of experts to make an *ex parte* investigation into the condition of the public health of our State, and that some of the distinguished members of said commission were already in the City of San Francisco

Realizing the gravity of an investigation conducted in secret, without any opportunity on the part of the State authorities to examine into the work as it is intended to be conducted by the said commission appointed by the United States Treasury Department, I deemed it of the most immediate importance to inquire of the President the reasons and purpose of this secret commission, and on the twenty-eighth instant I transmitted the following telegram to the President of the United States:

"EXECUTIVE DEPARTMENT,
"SACRAMENTO, CAL., January 28, 1901

"*The* PRESIDENT, *Executive Mansion, Washington, D. C.*

"I have been informed that Treasury Department has sent a commission of experts to this State to examine the pretended plague cases heretofore reported, as well as present health conditions, which commission is now about to commence investigations, ignoring the State authorities in the matter, and proceeding in line with reports heretofore made by Dr. J. J. Kinyoun to Surgeon-General of Marine Hospital Service

"I hope that in this matter of vital interest to the people of California there is no intentional discourtesy on the part of officer directed by the Treasury Department to supervise this investigation.

"In this matter, which concerns deeply the welfare of this State, I respectfully request that cooperation with the State authorities by such experts should be advised, in order that the State may select eminent home bacteriologists and physicians as well as, if deemed necessary, bacteriologists and physicians from other States and countries, to examine the same suspected cases, so as to arrive at a correct and impartial conclusion.

"I dislike much now to call your attention to this matter, but the irreparable injury heretofore done to this State by unfair and *ex parte* examinations warrants this appeal

"Your most obedient, humble servant,

"HENRY T. GAGE, Governor of California."

Yesterday afternoon I received from the Honorable the Secretary of the Treasury the following telegraphic reply:

"WASHINGTON, D. C, January 30, 1901.

"HON. HENRY T. GAGE, *Governor, Sacramento, Cal.*:

"Replying to your telegram of January 29th, addressed to the President, the commission appointed by this department embraces experts who by reason of technical knowledge and personal experience with the disease make it the highest possible authority. They are from great institutions of learning entirely disconnected with any department of the Government, and are chosen from different sections of the country, wholly on account of their attainments, and have been directed to call upon you for the purpose of paying their respects and acquaint you with their work In no sense therefore is any discourtesy intended, and the Department desires the commission to make these investigations in its own way, unhampered by detailed instructions from the Marine Hospital Service or any other influence. It is expected to ascertain the facts, and the Department does not feel it should hamper the commission in its method of investigating and getting at the facts. It will be independent of Doctor Kinyoun or any previous reports. Its conclusions are to be based on its own observations, and will be made known to this Department alone, and promptly forwarded to you by the Department.

"L. J GAGE, Secretary."

From this answer of the Honorable the Secretary of the Treasury it is apparent that State cooperation is refused, and that the investigation of the commission will be conducted wholly on such lines as will exclude any possible opportunity on the part of the State to either verify or refute any position which may now or hereafter be taken by the said commission or the United States Marine Hospital Service.

Under these circumstances the State is now forced to rely upon an investigation pursued by a commission which it has neither invited to its territory nor in the selection of whose personnel it has had any voice.

The previous inaccurate reports respecting the existence of bubonic plague in this State, which have resulted in the injury to the reputation for health of this State, as well as in injury to its citizens, industries, and commerce, have been the consequence of a system of *ex parte* investigation, without opportunity of State examination or superintendence

The repetition of such investigations upon secret lines, without public scrutiny under State authority, as have been heretofore pursued, will imperil the welfare of every citizen and inhabitant of the State, and will bring distress to the farmer, orchardist, horticulturist, manufacturer, tradesman, merchant, as well as to all our marine and land transportation companies

The meanest criminal, under the Constitution of the United States, cannot be denied the right of being confronted by his accusers, listening to their testimony, and subjecting them to cross-examination; and shall it be contended that the great State of California shall be unjustly denied a similar privilege in the opportunity of facing those who, impugning the public health, as the result of a secret and one-sided examination, might choose to cast an irremovable blemish upon the State's sanitary condition, on which the personal rights and property of her citizens in a large measure depend?

The State being denied a hearing, I conscientiously believe, therefore, that legislation is immediately and urgently needed by which our State may assume that general and unrestrained control over the subject of the public health within its borders which so vitally concerns her, and which is her inalienable right by virtue of her sovereignty.

Impelled by the sense of public duty, in view of this exceedingly grave situation, I rely upon the discretion of your honorable body to take such appropriate action in the premises as may be deemed advisable.

HENRY T GAGE,
Governor of the Sate of California.

Ordered printed in the Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

Also: Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health.

Also: Assembly Bill No. 560—An Act to prevent the introduction, and provide for the suppression of contagious or infectious diseases and appropriating money to be used for such purpose.

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

HASSON, Chairman.

Mr. Johnson moved that Assembly Bills Nos. 558, 559, and 560 be made special order immediately after reading of the Journal to morrow.

MOTIONS.

Mr. Macbeth moved that the following bills be passed on the file: Assembly Bills Nos. 45, 52, 104, 29, 28, 268, 105, 106, 107, 108, 109, 110, and Assembly Constitutional Amendments Nos. 9 and 2.

So ordered.

Mr. Brown moved that the Assembly do now consider the second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Read second time.

Mr. Bliss moved to amend as follows:

Amend by striking out of Section 1, line eighteen, the word "to," before the words "the State," and inserting the word "against."

Amendment adopted.

Assembly Bill No. 97 ordered to print, engrossment, and third reading.

Assembly Bill No. 166—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read second time.

The following committee amendment was submitted:

After the word "alleys," in line twenty-three, page two of the printed bill, insert the word "harbors"

Amendment adopted.

Assembly Bill No. 166 ordered to print, engrossment, and third reading.

Assembly Bill No. 59—An Act providing for the appointment and for fixing the bond and compensation, and for specifying the duties, powers, and tenure of office of matrons for city and town jails and prisons where matrons therefor are not otherwise provided for.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 175—An Act to amend Section 880 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read second time, ordered to engrossment and third reading

Assembly Bill No. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 407—An Act to amend an Act entitled "An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof," approved March 20, 1899.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued.

Read second time ordered to engrossment and third reading.

Senate Bill No. 39—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Insert after the word "party," in line seven of the printed bill, the words "and all causes to which any county may be a party unless the interest of the county is adverse to the State, or some officer thereof acting in his official capacity."

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "the," in line forty-one of the printed bill, and insert in lieu thereof the word "and."

Amendment adopted.

Senate Bill No. 39 ordered to print, engrossment, and third reading.

Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Read second time, ordered to engrossment and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Fisk:

Resolved, That the chairman of the Committee on Ways and Means be and he is hereby authorized to appoint, when necessary, sub-committees of said Ways and Means Committee to visit the various State institutions for the purpose of enabling said Ways and Means Committee to act intelligently upon bills that are now or may come before it carrying appropriations for said institutions, and to determine what, if any, of the improvements sought to be provided for are indispensable, and what, if any, can be dispensed with without material injury to the institutions or the public welfare.

Resolution adopted.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California.

Mr. Johnson moved that Assembly Bill No. 387 be passed on file.

So ordered.

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test-bottles, or other appliances showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 362—An Act to amend Section 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo.

Read second time.

Mr. Brown of San Mateo moved to amend as follows:

Strike out of Section 1, line forty-five, the word "at," and insert the word "in" in lieu thereof.

Amendment adopted.

Assembly Bill No. 362 ordered to print, engrossment, and third reading.

Mr. Johnson moved to reconsider motion whereby Assembly Bill No. 387 was passed on file.

So ordered.

Assembly Bill No. 387 was taken up for consideration.

Assembly Bill No 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 431—An Act to amend Section 737 of the Political Code of the State of California, relating to salaries of Superior Judges.

Read second time.

The following committee amendment was submitted:

Strike out the word "of," in line twenty of the printed bill, and insert in lieu thereof the word "after"

Amendment adopted.

Assembly Bill No. 431 ordered to print, engrossment, and third reading.

Assembly Bill No. 444—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read second time.

The following committee amendment was submitted:

Strike out the word "of," in line eighteen of the printed bill, and insert in lieu thereof the word "after."

Amendment adopted.

Assembly Bill No. 444 ordered to print, engrossment, and third reading.

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Read second time.

The following committee amendments were submitted:

AMENDMENT No 1

Insert the article "a" in line eight of the printed bill between the words "of" and "misdemeanor."

Amendment adopted.

AMENDMENT No 2

Insert the word "Section" before the the figures "623" in line three of the printed bill.

Amendment adopted.

Assembly Bill No. 464 ordered to print, engrossment, and third reading.

Assembly Bill No. 395—An Act to amend Section 1 of an Act entitled "An Act relating to mutual, beneficial, and relief associations," approved March 28, 1874.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Read second time.

Mr. Sheridan moved to amend as follows:

Amend by striking out of Section 1, line six, the comma after the word "person"
Also: Insert after the word "thereby," in line six, the word "to"
Also: Strike out the word "to" in Section 2, and insert the word "shall"

Amendments adopted.

Mr. Sutro moved to amend as follows:

Strike out the word "ten," in line ten, and insert in lieu thereof the word 'two'

Amendment lost.

Assembly Bill No. 264 ordered to print, engrossment, and third reading.

Assembly Bill No. 86—An Act to amend Section 208 of the Penal Code.

Read second time, ordered to engrossment and third reading.

MOTIONS.

Mr. Johnson moved that file numbers 91, 92, 93, and 94 be passed on file.

So ordered.

Mr. Hasson moved that the third-reading file be taken up for the consideration of Assembly Bill No. 284.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 284—An Act to regulate the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—60

NOES—Messrs. Anderson of Solano and Wright—2.

Title read and approved.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing, or defacing marks and brands of domestic animals.

Read second time, ordered to engrossment and third reading.

At twelve o'clock and twenty-nine minutes P. M., Mr. Ralston moved to extend the time of recess until the finishing of the second-reading file.

So ordered.

Assembly Bill No. 403—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto, shall be taken.

Read second time, ordered to engrossment and third reading.

Assembly Bills Nos. 321 and 232 (which should have been Nos. 81 and 82 on the file) were taken up.

Assembly Bill No. 321—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, ordered to engrossment and third reading.

Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Henry moved that Assembly Bill No. 517 be re-referred to committee on Swamp and Overflowed Lands and River Improvements.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893.

Read second time.

The following committee amendment was submitted:

Amend by inserting in line ten, page one, printed bill, after the word "civil," the words "or mining."

Amendment adopted.

Assembly Bill No. 397 ordered to print, engrossment, and third reading.

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the Police Department of cities, and cities and counties.

Read second time, ordered to engrossment and third reading

Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

Read second time.

Mr. Broughton moved to amend as follows:

Insert at the beginning of line five of the printed bill the following: "Section 2."

Amendment adopted.

Assembly Bill No. 319 ordered to print, engrossment, and third reading.

Assembly Bill No. 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 291—An Act to define and establish a portion of the eastern boundary of the State of California.

Read second time.

The following committee amendment was submitted:

Amend by striking out, in lines seven and eight in printed bill, the words "governments and," and inserting in lieu thereof the words "coast and geodetic survey."

Amendment adopted.

Assembly Bill No. 291 ordered to print, engrossment, and third reading.

Assembly Bill No. 24—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Read second time, and ordered on file for third reading.

Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section, to be known as Section 637*a*, relating to game.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title by inserting after the word "section," in first line, the following: "to title thereof"; and also amend said title by striking out the words "relating to game," and insert in lieu thereof the words "for the protection of meadow larks"

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "California," in line two of printed bill, the following: "and to title fifteen thereof to be numbered 637*a*, and."

Amendment adopted.

Assembly Bill No. 361 ordered to print, engrossment, and third reading

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of Section 1, line one of the printed bill, the words "said Act," and inserting after the word "of," the following: "An Act entitled an Act to prevent the destruction of forests by fire on public lands, approved February 13, 1872, is."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, line four, the word "shall," and inserting the word "may".

Amendment adopted.

AMENDMENT No 3.

Amend by striking out of Section 1, line seven, the word "shall," and inserting the word "may."

Amendment adopted.

Assembly Bill No. 4 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At twelve o'clock and forty-five minutes P. M., the Speaker declared the Assembly adjourned until nine o'clock and thirty minutes A. M. of Friday, February 1, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 1, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Fehz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—74.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Dunlap for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Wednesday, January 30, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled: Assembly Bill No. 25—An Act to repeal an Act entitled "An Act to declare Lake Earl, in Del Norte County, navigable," approved February 4, 1874—and was presented to the Governor January 31, at nine o'clock and thirty-five minutes A. M.

Also: Report that the following bills have been correctly engrossed:

Assembly Bill No. 59—An Act providing for the appointment and for fixing the bond and compensation, and for specifying the duties, powers, and tenure of office of matrons for city and town jails and prisons where matrons therefor are not otherwise provided for.

Assembly Bill No. 175—An Act to amend Section 880 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to the Marshal.

Assembly Bill No. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

Assembly Bill No. 407—An Act to amend an Act entitled "An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California or any political subdivision thereof, providing for the insertion of certain stipulations in contracts for public work, imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof," approved March 20, 1889.

Assembly Bill No 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued

Assembly Bill No 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces

Assembly Bill No 150—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 three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test-bottles, or other appliances, showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

Assembly Bill No. 387—An Act to amend Section 1616 of the Code of Civil Procedure of the State of California.

Assembly Bill No. 395—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874.

Assembly Bill No 86—An Act to amend Section 208 of the Penal Code.

Assembly Bill No 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Assembly Bill No 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing, or defacing marks and brands on domestic animals.

Assembly Bill No 403—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, shall be taken.

Assembly Bill No 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and to collect a fee therefor for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles

Assembly Bill No. 321—An Act to regulate the width of tires of wagons to be used on the public highways of the State of California

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the police departments of cities, and cities and counties

Assembly Bill No 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

FRANKLIN, Chairman

SPECIAL ORDER.

Mr. Johnson moved to postpone consideration until eleven o'clock A. M. this day.

Mr. James moved to amend by making the time Wednesday.

The question being on the shorter time.

Mr. Johnson's motion prevailed.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 414—An Act to amend Section 3823 of the Political Code of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to the Committee on Judiciary.

Also: Assembly Bill No 415—An Act to amend Section 3790 of the Political Code of 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 Constitutional Amendment No 10—Relative to amending Article VI of the County Government Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

McWADE, Chairman

Assembly Bill No. 414 re-referred to Committee on Judiciary.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 34—An Act to amend Section 849 of the Code of Civil Procedure, relating to services of summons in Justices' Court actions—report the same back, with one amendment, and recommend that the same do pass as amended

Also: Assembly Bill No. 33—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11,1872, by adding thereto a new section, to be known as Section 2022, authorizing the taking of a deposition where the adverse party has not appeared, and providing the proceeding—report the same back, with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 367—An Act authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State—report the same back, by a majority vote, and recommend that it do pass.

Also: Assembly Bill No. 320—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section thereto, to be numbered 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made—report the same back, with the recommendation that it do pass

Also: Assembly Bill No 26—An Act to add a new section to the Penal Code, to be known as Section 539, and relating to persons violating their contracts with liverymen—report the same back, with the recommendation that it do not pass

Also: Assembly Bill No. 448—An Act to amend Sections 1240 and 1241 of an Act entitled "An Act to establish a Code of Civil Procedure"—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 96—An Act to amend an Act entitled "An Act to amend Section 374 of the Penal Code, relating to crimes against the public health," approved March 3, 1893—report the same back, and recommend that the author have leave to withdraw the same, the subject-matter being covered by the amendment to Assembly Bill No 331, reported this day by the committee.

Also: Assembly Bill No. 331—An Act to amend Section 374 of an Act entitled "An Act to establish a Penal Code"—report the same back, with one amendment, and recommend that it do pass as amended.

JOHNSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles—have had the same under consideration, and report the same back, with two amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 304—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School at San Diego, and making an appropriation therefor—have had the same under consideration, and report the same back, and recommend that it do pass, and that both of said bills be referred to Committee on Ways and Means, under the rule.

RUTHERFORD, Chairman.

Assembly Bills Nos. 80 and 304 re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Commerce and Navigation beg leave to report that they have visited San Francisco, in accordance with a resolution adopted by the Assembly January 30, 1901, and that there is now due to each of the following named persons the sums set opposite their several names, for mileage:

M. W. Brady	$18 00
J. McD. Kelley	18 00
G. G. Radcliff	18 00
Geo. C. Brown	18 00
J F. Collins	18 00
Geo. J. McLoughlin	18 00
Frank Storer, clerk	18 00
Total	$126 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of M. W Brady for the sum of $126, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

BRADY, Chairman.

Referred to Committee on Mileage.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 178—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROUGHTON, Chairman

Mr. Broughton moved to re-refer Assembly Bill No. 178 to Committee on Judiciary.

So ordered.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 393—An Act to amend Section 612 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872

Also: Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperation associations," approved March 27, 1895

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

Also: Assembly Bill No. 404—An Act defining investment companies and regulating and governing corporations, companies, associations, and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 484—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Also: Assembly Bill No. 485—An Act to amend Section 305 of the Civil Code, relating to corporations

Also: Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

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

BROUGHTON, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 242—An Act to provide for the formation of new counties, and the appointment and election of officers, the location of county seats thereof, and the adjustment and fulfillment of certain rights and obligations arising between such new-formed counties and the county or counties from which they are formed—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, and the amended bill be substituted therefor.

CROMWELL, Chairman.

Assembly Bill No. 242 withdrawn by author, and the following substitute submitted:

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Counties and County Boundaries: Assembly Bill No. 586—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 ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing and modifying and reapportionment and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments hereunder and remonstrances against such assessments and reassessments, and against the improvements under said Act—have had the same under consideration, and respectfully report the same back, with one amendment, and recommend that the same do pass as amended

Also: Senate Bill No. 117—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883—and respectfully report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 300—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 18, 1893, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively—and respectfully report the same back, with the recommendation that the same do not pass.

SAVAGE, Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating 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.

HASSON, Chairman.

Mr. Johnson moved that the rules be suspended and that the Assembly do now consider Assembly Bill No. 230.

So ordered.

Assembly Bill No. 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "and the holder of the license shall pay to the clerk a fee of one dollar for recording the same," in lines seven and eight, Section 6, third page, printed bill.

Amendment adopted.

Assembly Bill No. 230 ordered to print and reëngrossment.

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 223—An Act to regulate the catching of abalones within this State

Also: Assembly Bill No. 224—An Act prohibiting the catching, selling, offering for sale, or having in possession, of any squid between the first day of June and the first day of September of each year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

HIGBY, Chairman.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No 459—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Com-

missioners—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

BARNES, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 43—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office as messenger and clerk therefor during the year 1900 (from January, 1900, to September, 1900, inclusive)—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 292—An Act to provide for the payment of P. W Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, 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 273—An Act making an appropriation to pay the claim of John E Raker for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same, it being identical with Senate Bill No 52.

Also: Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in forclosing suit against delinquent purchasers of State school lands—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended

Also: Assembly Bill No. 398—An Act appropriating money for the payment of claims against the State arising in the counties of Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, and Trinity, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means

Also: Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J Elder for rent of room used by the Commissioners for the Revision and Reform of the Law at the State House Hotel in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Also: Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children, at Eldridge.

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

Also: Assembly Bill No 487—An Act for the relief of J E. Atkinson for personal injuries received by him while in the service of the State—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 492—An Act appropriating money for the payment of claims against the State arising in the counties of Merced, Mariposa Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Senate Bill No. 52—An Act to provide for the payment of the claim of Modoc County for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Assembly Bills Nos. 43, 292, 384, 398, 426, 447, 487, and 492, and Senate Bill No. 52 re-referred to Committee on Ways and Means.

SUSPENSION OF THE RULES.

Mr. Melick moved that the rules be suspended, and that the Assembly do now consider Assembly Bill No. 459.

So ordered.

Assembly Bill No. 459—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time.

The following committee amendment was submitted:

After the words and figures "Section 14" insert the following: "SECTION 1. Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners, is hereby amended to read as follows "

Amendment adopted.

Assembly Bill No. 459 ordered to print and reëngrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONTESTED ELECTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Contested Elections, to whom was referred the contest of J. F. Strand vs. John Butler for a seat in this Assembly from the Thirty-third Assembly District, beg leave to report that, after an examination of testimony taken in the Justices' Court of San Francisco, find that Mr John Butler is entitled to retain his seat in this Assembly and to the office of Assemblyman from the Thirty-third Assembly District, and we recommend the following resolution, to wit:

Resolved, That John Butler be and he is hereby declared to be entitled to retain his seat and to retain the office of Assemblyman from the Thirty-third Assembly District of the State of California.

GUILFOYLE, Chairman.

Report and resolution adopted.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No 498—An Act to amend Sections 1917, 1918, 1936, 1939, 1962, 1980, 1984, 2009, 2076, 2077, and 2105; to repeal Section 1990, and to add new sections to be known and numbered as Sections 1973*a*, 2106, all of and to the Political Code of the State of California, relating to the National Guard—have had the same under consideration, and report the same back, with the recommendation that it do pass as amended

BENNINK, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No 347—An Act to create the office of Sheep Inspector for the State of California, to provide for the appointment, and to define the powers and duties of said officer and his deputies, and their compensation, and providing for the prosecution of offenses under the same, and to suppress and prevent dissemination of scab among sheep—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

C. R. STEWART, Chairman.

ON LABOR AND CAPITAL

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 93—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Also: Assembly Bill No 442—An Act relating to the keeper of intelligence offices, and making a penalty for the violation of the provisions of this Act.

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

Also: Assembly Bill No 465—An Act to amend Section 3051 of the Civil Code of the State of California in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business—have had the same under consideration, and respectfully report the same back, and recommend that it be re-referred to Committee on Judiciary without recommendation

HOURIGAN, Chairman.

Assembly Bill No. 465 re-referred to Committee on Judiciary.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 332—An Act to prevent the spread of infectious and contagious diseases among poultry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

C. R. STEWART, Chairman

Assembly Bill No. 332 re-referred to Committee on Judiciary.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation 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

Also: Senate Joint Resolution No. 10—Relative to the establishment of a boarding school for Pitt River Indians, in Modoc County, 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 Federal Relations.

Also: Assembly Bill No. 328—An Act entitled "An Act to regulate the requirements for admission to State Normal Schools, and providing for the nature of the courses of study to be followed therein, and governing the issuance and rank of diplomas therefrom "—have had the same under consideration, and respectfully report the same back with substitute, and recommend that the substitute do pass.

GANS, Chairman.

Assembly Bill No. 207 referred to Committee on Public Buildings and Grounds.

Senate Joint Resolution No. 10 re-referred to Committee on Federal Relations.

Assembly Bill No. 328 withdrawn by author, and the following substitute submitted:

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 587—An Act to amend Sections 1492, 1494, and 1495 of the Political Code of the State of California, relating to State normal schools.

Read first time, and ordered on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, January 30, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools.

Also: Senate Bill No. 59—An Act to amend Sections 1637 and 1638 of Chapter III, Title III, Part III of the Political Code, relating to the school law of the State of California.

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

Senate Bill No. 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools.

Read first time, and referred to Committee on Education.

Senate Bill No. 59—An Act to amend Sections 1637 and 1638 of Chapter III, Title III, Part III of the Political Code, relating to the school law of the State California.

Read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, January 31, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities.

Also: Senate Bill No 123—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. 125—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California by adding a section thereto, to be

known as Section 349, relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

Also: Senate Bill No 126—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901"

Also: Senate Bill No. 291—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Also: Senate Bill No. 380—An Act making an appropriation for the contingent expenses of the Senate, thirty-fourth session

Also: Senate Bill No 23—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Also: Senate Bill No. 243—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636, all relating to the preservation of fish.

Also: Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities.

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

Senate Bill No. 123—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 referred to Committee on Municipal Corporations.

Senate Bill No. 125—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California by adding a section thereto, to be known as Section 349, and relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

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

Senate Bill No. 126—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901."

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

Senate Bill No. 291—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 380—An Act making an appropriation for the contingent expenses of the Senate, thirty-fourth session.

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

Senate Bill No. 23—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 243—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636, all relating to the preservation of fish.

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

Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read first time, and referred to Committee on Engrossment and Enrollment.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Anderson of Solano to the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Johnson:

Resolved, That Senate Bill No. 380 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Wright—68.
NOES—None.

Senate Bill No. 380—An Act making an appropriation for the contingent expenses of the Senate, thirty-fourth session.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of the consideration of Senate Bill No. 380.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Senate Bill No. 380 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 380—An Act making an appropriation for the contingent expenses of the Senate, thirty-fourth session—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman.

Report adopted.

Senate Bill No. 380 ordered to third reading.

Senate Bill No. 380—An Act making an appropriation for the contingent expenses of the Senate, thirty-fourth session.

Read third time.

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 of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, Johnson, John, Kelley, Kincaid, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, and Wright—58.
NOES—None.

Title read and approved.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Webber: Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, by adding thereto after the figures "180" the letter "a," relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, fire-arms, etc.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Mateo: Assembly Bill No. 589—An Act to amend Section 192 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Irving: Assembly Bill No. 590—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 591—An Act to amend the Civil Code of the State of California relating to the formation of corporations with unassessable capital stock, and providing for existing corporations to elect to amend their articles of incorporation so as to have the benefit of this Act.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 592—An Act to amend the Civil Code of the State of California, relating to the formation of corporations having unassessable capital stock.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 593—An Act to amend Subdivision 7 of Section 290 of the Civil Code of the State of California, relative to the contents of articles of incorporation.

Read first time, and referred to Committee on Corporations.

By Mr. Foster: Assembly Bill No. 594—An Act to amend Section 849 of the Penal Code of the State of California, relative to arrests.

Read first time, and referred to Committee on Judiciary.

By Mr. Franklin: Assembly Bill No. 595—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Read first time, and referred to Committee on Judiciary.

By Mr. Hanen: Assembly Bill No. 596—An Act to determine and declare the true boundary line between the counties of Trinity and Mendocino in the State of California, and determining the map and field notes of the survey of S. H. Rice, as approved by the Surveyor-General, to be correct.

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

By Mr. Kelley: Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for the same, and repealing conflicting Acts.

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

Also: Assembly Bill No. 598—An Act to amend Section 171 of the Civil Code of the State of California, relating to the separate property of the wife, and to amend Section 715 of the Code of Civil Procedure of the State of California, relating to proceedings subsequent to execution.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations.

Read first time, and referred to Committee on Judiciary.

By Mr. John: Assembly Bill No. 600—An Act appropriating money for the payment of claims against the State arising in the County of San Luis Obispo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Claims.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No 37—An Act appropriating money for improvement and repairs on the laundry at the Preston School of Industry—have had the same under consideration, and report back, and recommend that the same be referred to the Committee on Ways and Means.

IRISH, Chairman.

Assembly Bill No. 37 re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 46—An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner, and to repeal certain former Acts relating to the subject-matter of this Act—have had the same under consideration, and respectfully report the same back, and recommend that the author of the bill be permitted to withdraw the same, and Committee Substitute for Senate Bill No. 127 take its place on the file

Also: Committee Substitute for Senate Bill No 127—An Act to appropriate the sum of $150,000, to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation—have had the same under consideration, and respectfully report the same back, and recommend, by a majority report, that it do pass, and that it be substituted on the file for Assembly Bill No. 46.

FISK, Chairman.

Assembly Bill No. 46 withdrawn by author.

ON WAYS AND MEANS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: The undersigned, a minority of the Committee on Ways and Means, dissent from the report of the majority in reference to Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000, to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation—and recommend that the same do not pass.

RALSTON
ROBERTS.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money, and crushed rock, and granite or stone blocks for drains and culverts therefor—have had the same under consideration, and respectfully report the same back, and recommend, by a majority vote, that it do pass.

FISK, Chairman.

At eleven o'clock A. M., the Speaker resumed the chair.

RESOLUTION.

By Mr. James:

Resolved, That a select committee of five members of the Assembly be appointed by the Speaker, with full power and jurisdiction to investigate forthwith, and report in writing to this Assembly, whether or not at any time during the year 1900, or since, or whether or not there is now bubonic plague in the City of San Francisco; and that such committee have full power and authority to subpœna witnesses, administer oaths, take testimony, send for persons and witnesses, books, telegrams, reports, and other papers; to employ a clerk and a stenographer, and that it have leave to sit at the City of San Francisco, or at the City of Sacramento, during the session of the Legislature, and that it have such other and further power, authority, and jurisdiction as shall or may be necessary for the full performance of its duties.

Mr. James moved its adoption.

Mr. Johnson moved to refer to Committee on Ways and Means.

Mr. Sutro moved to lay whole matter on the table.

Roll call was demanded by Messrs. James, Cowan, and Schlesinger.

The roll was called. and Mr. Sutro's motion was carried by the following vote:

AYES—Messrs. Anderson of Solano, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Clarke, Collins, Cromwell, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, McNeil, McWade, Merritt, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Sutro, Walker, Webber, Wright, and Mr. Speaker—45.

NOES—Messrs. Barnes, Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Feliz, Foster, Higby, Hubbard, Irving, James, Kincaid, Laird, Levinson, McLoughlin, Melick, Ray, Reeber, Schlesinger, Sheridan, Simpson, Stewart of Amador, and Williams—25.

RESOLUTION—(CASES OF URGENCY).

By Mr. Johnson:

Resolved, That Assembly Bills Nos. 558, 559, and 560 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 be read the first, second, and third times, and placed upon their passage.

Mr. Feliz moved that the resolution be laid on table.

The previous question was demanded by Messrs. Johnson, Henry, and Guilfoyle.

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

Roll call was demanded by Messrs. Schlesinger, Sheridan, and Ray.

The roll was called, and the previous question ordered by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Clarke, Cromwell, Duryea, Evatt, Fisk, Franklin, Gans Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—54

NOES—Messrs. Brown of San Mateo, Chiles, Foster, Haley, Hubbard, Irving, James, Kincaid, Levinson, Ray, Sheridan, Simpson, and Williams—13.

The question being on the motion to lay on the table.

Roll call was demanded by Messrs. Laird, Sutro, and James.

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

AYES—Messrs Berry, Brown of San Mateo, Chiles, Feliz, Foster, Haley, Irving, James, Kincaid, Laird, Levinson, Ray, Sheridan, Simpson, Sutro, and Williams—16.

NOES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Clarke, Collins, Cowan, Duryea, Fisk, Franklin, Gans, Greer, Guilfoyle, Hanen, Hassen, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, Webber, Wright, and Mr. Speaker—51.

The question now being on the adoption of the resolution by Mr. Johnson.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result, Mr. Johnson moved a call of the House.

Messrs. Laird, Cowan, and Sheridan demanded a roll call upon the question of call of the House.

The roll was called, and call of the House ordered by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Collins, Cromwell, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Irish, Johnson, John, Kelley, Knight, Knowland, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Walker, Webber, Wright, and Mr. Speaker—48.

NOES—Messrs. Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Feliz, Foster, Haley, Hubbard, Irving, James, Kincaid, Laird, Levinson, Mattos, Melick, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, and Williams—26.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Present 78, absent 1.

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

So ordered.

The result was announced, and the resolution of urgency by Mr. Johnson lost by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Collins, Cromwell, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Treadwell, Webber, Wright, and Mr Speaker—52.

NOES—Messrs Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Feliz, Foster, Haley, Hubbard, Irving, James, Kincaid, Knowland, Laird, Levinson, Melick, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, Sutro, Walker, and Williams—26.

SPECIAL ORDER.

Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

Read second time.

Mr. Johnson moved to amend as follows:

Strike out the words "or any other contagious or infectious disease," in line six of Section 2 of the printed bill.

Amendment adopted.

Mr. Melick moved to amend as follows:

Amend by striking out Section 2.

Mr. Johnson moved that Assembly Bill No. 558 be re-referred to Committee on Judiciary, they to report Monday next, said bill to be made special order for Tuesday, immediately after reading of the Journal.

So ordered.

MOTION FOR RECONSIDERATION.

Mr. Melick moved for reconsideration of the vote whereby the resolution of Mr. Fisk was yesterday adopted.

Mr. Guilfoyle moved to lay motion for reconsideration on the table.

Roll call was demanded by Messrs. Melick, Ray, and Feliz.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Collins, Cromwell, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Johnson, Kelley, Knight, Knowland, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Myers, Ralston, Reeber, Roberts, Savage, Schillig, Stewart of San Diego, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—47.

NOES—Messrs. Atherton, Barnes, Brown of San Mateo, Chandler, Chiles, Cowan, Feliz, Haley, Irving, James, Kincaid, Laird, Levinson, Melick, Milice, Miller, Ray, Sheridan, Simpson, Stewart of Amador, Walker, and Williams—22.

SECOND READING OF BILLS.

Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 560—An Act to prevent the introduction, and provide for the suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Pendleton in the chair, for the purpose of the consideration of Assembly Bill No. 560.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 560 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 560—An Act to prevent the introduction, and provide for the suppression of, contagious or infectious diseases, and appropriating money to be used for such purpose—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 560 ordered to engrossment and third reading.

MOTIONS.

Mr. Johnson moved that Assembly Bills Nos. 559 and 560 be made special order immediately after reading of the Journal to-morrow.

At twelve o'clock and twenty-five minutes P. M., Mr. Johnson moved to extend time of recess until Assembly Bills Nos. 559 and 560 had been disposed of.

So ordered.

Mr. James moved to adjourn until Monday next at eleven o'clock A. M.

Motion lost.

Mr. Duryea moved to adjourn until two o'clock P. M. this afternoon.

Motion lost.

Mr. Mattos moved that the Assembly do now adjourn.

Motion lost.

Mr. Brown of San Mateo moved to amend Mr. Johnson's motion by referring Assembly Bill No. 559 to Committee on Judiciary.

Motion lost.

Mr. Schlesinger moved to make Assembly Bills Nos. 559 and 560 a special order for next Monday, at eleven o'clock A. M.

Motion lost.

The motion of Mr. Johnson was then voted upon, and declared carried.

ADJOURNMENT.

At twelve o'clock and fifty-six minutes P. M., on motion of Mr. Bliss, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 2, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Feliz, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McLough-

lin, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—52.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Anderson, Kelley, Cowan, Irish, Higby, Williams, Savage, McNeil, Schillig, and Knight for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 141—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—respectfully report the same back, with one amendment, and recommend that it do pass as amended

Also. Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions—respectfully report the same back, with seven amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 117—An Act to amend Section 2694 of the Political Code, relating to public highways—respectfully report the same back, and recommend that it be referred back to the Judiciary Committee.

Also: Assembly Bill No 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof—have had the same under consideration, and respectfully report the same back, with five amendments, and recommend that it do pass as amended.

MERRITT, Chairman.

Assembly Bill No. 117 re-referred to Committee on Judiciary.
Assembly Bill No. 288 re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have found correctly engrossed Assembly Bill No 312—An Act making an appropriation of $300 to pay the claim of A L. Wood against the State of California

Also: Assembly Bill No 289—An Act to regulate the establishment of and maintenance of public laundries and public wash-houses in the cities and counties of the State.

Also: Assembly Bill No 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances

Also: Assembly Bill No 443—An Act making an appropriation to pay the judgment for $11,050 and accrued interest thereon obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,828, entered of record October 10, 1893, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

Also: Assembly Bill No. 344—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaged in the business of placing or selling debentures, bonds, or certificates of investment, by whatsoever name such debentures bonds, or certificates may be designated, and to protect the holders thereof, and placing them under the supervision of the Bank Commissioners.

Also: Assembly Bill No 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Also: Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses.

Also: Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as Secretary of State of California," No 75,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs Charles F. Curry, as Secretary of the State of California, defendant and respondent," and numbered San Francisco No 2442.

Also: Assembly Bill No 99—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901."

Also: Assembly Bill No. 98—An Act to amend Chapter III of Title II, Part II, of the Code of Civil Procedure of the State of California by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

Also: Assembly Bill No 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

Also: Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations, in the military service of the State

Also: Assembly Bill No 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health

Also: Assembly Bill No. 560—An Act to prevent the introduction and provide for the suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

BERRY, Acting Chairman.

SPECIAL ORDER.

Assembly Bill No. 559, on motion of Mr. Johnson, was passed temporarily.

MOTION.

Mr. Melick moved to take up Assembly Bill No. 560 for consideration.

Mr. Laird moved to defer action until next Tuesday at eleven o'clock A. M.

Motion lost.

Mr. Melick's motion prevailed.

Assembly Bill No. 560—An Act to prevent the introduction and provide for the suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Butler, Carter, Chandler, Clarke, Cromwell, Duryea, Fisk, Gans, Greer, Haley, Hanen, Hasson, Irving, Johnson, John, Kincaid, Knowland, Levinson, Mattos, McWade, Melick, Milice, Myers, Ralston, Reeber, Roberts Rutherford, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr Speaker—40

NOES—Messrs. Cavagnaro, Feliz, Foster, Hubbard, Laird, Ray, and Sheridan—7

Mr. Johnson moved for the verification of previous roll call.

So ordered.

The roll was called, with the following result:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco Carter, Chandler, Clarke, Cromwell, Duryea, Feliz, Fisk, Gans, Greer, Haley, Hanen Hasson Hubbard, Irving, Johnson, John, Knowland, Levinson, Mattos, McWade, Melick Milice Myers, Ralston, Reeber, Roberts, Rutherford, Stewart of San Diego, Stewart of Amador, Sutro Treadwell, Walker, and Mr. Speaker—41

NOES—Messrs Cavagnaro, Chiles, Foster, Laird, Ray, and Sheridan—6.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Feliz gave notice that on next legislative day he would move to reconsider the vote by which Assembly Bill No. 560 was this day passed.

MOTION.

Mr. Johnson moved that Assembly Bill No. 559 be made special order for next Tuesday, to be taken up with Assembly Bill No. 558.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 539—An Act to amend an Act entitled "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," approved March 31, 1897, by adding a new section thereto, to be known as Section 4½—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McNEIL, Chairman

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

CROMWELL, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation and the consumers of such water—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to the Committee on Judiciary.

MILICE, Chairman.

Assembly Bill No. 556 re-referred to Committee on Judiciary.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements have had under consideration Assembly Bill No. 27—An Act making an appropriation for the purpose of placing a flume and flood-gates at the mouth of Lake Earl, in Del Norte County, and providing for the manner of its expenditure—and respectfully report the same back, and recommend that it do pass, and that the same be referred to the Committee on Ways and Means, under the rule

Also: Assembly Bill No 453—An Act to protect the manufacturing industries of this State—do now report back, and recommend that the same do pass.

Also: Assembly Bill No 453—An Act to protect the manufacture of goods made, manufactured, or partly made or manufactured, in the State of California—do now report the same back, and recommend that the author be allowed to withdraw the same

BUTLER, Chairman.

Assembly Bill No. 27 re-referred to Committee on Ways and Means.
Assembly Bill No. 458 withdrawn by author.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 332—An Act to prevent the spread of infectious and contagious diseases among poultry—report the same back, with five amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 323—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Assembly Constitutional Amendment No. 6—Relative to the framing of a charter for cities of more than 3,500 inhabitants

Report the same back, and recommend that they do pass.

Also: Assembly Bill No. 486—An Act to authorize suits against the State concerning certain real property, and regulating the procedure therein.

Also: Assembly Bill No 76—An Act for the payment of jurors' fees in criminal cases in the Superior Courts.

Report the same back, with one amendment, and recommend that it do pass as amended

Also Senate Bill No 42—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing the punishment therefor—report the same back, with the recommendation that it do pass.

Also: Senate Bill No 35—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Senate Bill No 23—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University

Also: Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court and their salaries

Report the same back, with the recommendation that they do pass.

Also: Senate Bill No 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California—report the same back, with one amendment, and recommend that it do pass as amended.

JOHNSON, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: Your Committee on Education, to whom was referred Assembly Constitutional Amendment No 4—Relative to permitting State aid to high schools and technical schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Constitutional Amendment No. 3—Relative to submitting to the people of the State of California a constitutional amendment for a State Normal School Board—have had the same under consideration and respectfully report the same back, with three amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No 61—An Act to add a new section to the Political Code, to be known as Section 1890—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Also: Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Also: Senate Bill No. 66—An Act to amend Section 1261 of the Political Code, relating to election returns

Also: Senate Bill No. 175—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Also Senate Bill No 186—An Act to amend an Act entitled "An Act to establish Board of Parole Commissioners, for the parole of and government of paroled prisoners," approved March 23, 1893

Also: Senate Bill No. 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands.

Also: Senate Bill No. 238—An Act to pay the claim of Thos. J Walsh for conveying the election returns of Presidential Electors to Sacramento

Also: Senate Bill No 240—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Also: Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E Edson.

Also: Senate Bill No 267—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874.

Also: Senate Bill No 367—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

Also: Committee Substitute for Senate Joint Resolutions Nos 3, 4, and 5—Relative to Chinese and Japanese immigration to the United States.

Also: Senate Concurrent Resolution No 5—Relative to a committee to be appointed

for the reception of the President and other officers of the United States Government and the State of Ohio, and the appropriation of money therefor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

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

Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read first time, and referred to Committee on Claims.

Senate Bill No. 66—An Act to amend Section 1261 of the Political Code, relating to election returns.

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

Senate Bill No. 175—An Act to appropriate money for the purchase of books for the use of the Preston School of Industry.

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

Senate Bill No. 186—An Act to amend an Act entitled "An Act to establish Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893.

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

Senate Bill No. 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands.

Read first time, and referred to Committee on Education.

Senate Bill No. 238—An Act to pay the claim of Thomas J. Walsh for conveying the election returns of Presidential Electors to Sacramento.

Read first time, and referred to Committee on Claims.

Senate Bill No. 240—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

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

Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E. Edson.

Read first time, and referred to Committee on Claims.

Senate Bill No. 267—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874.

Read first time, and referred to Committee on Claims.

Senate Bill No. 367—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

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

Committee Substitute for Senate Joint Resolutions Nos. 3, 4 and 5—Relative to Chinese and Japanese immigration to the United States.

Referred to Committee on Immigration.

Senate Concurrent Resolution No. 5 read, ordered printed in the

Journal, and made a special order for Monday next, immediately after reading of the Journal.

SENATE CONCURRENT RESOLUTION No 5.

Relative to a committee to be appointed for the reception of the President and other officers of the United States Government and the State of Ohio, and the appropriation of money therefor.

Resolved by the Senate, the Assembly concurring, That a committee of twenty members of the Legislature be appointed, such committee to be composed of the President of the Senate, the President pro tempore of the Senate, the Speaker of the Assembly and the Speaker pro tempore of the Assembly, and seven members of the Senate to be appointed by the presiding officer of the Senate, and nine members of the Assembly to be appointed by the presiding officer of the Assembly, to act as a committee of arrangements for the reception of the Presidential party at the State Capitol; be it further

Resolved, That the members of the State Legislature of the State of California be and they are hereby constituted a committee of reception of the Presidential party at the State Capitol of the State of California; be it further

Resolved, That the sum of one thousand dollars be and the same is hereby appropriated out of the Contingent Fund of the Senate, and the sum of one thousand dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly, for the purpose of defraying the expenses of such reception, such money to be expended by the committee of arrangements, as in its judgment may seem best, for the proper reception of the President and his party.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No 81 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin

Also: Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

And respectfully ask the concurrence of your honorable body in the same.

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

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

The following Senate amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the words "at least twenty," and by striking out the word "directing," and inserting in lieu thereof the word "authorizing."

AMENDMENT No. 2.

Amend by adding after the word "authorized," in line two, the following: "in their discretion," and "and directed."

AMENDMENT No. 3.

Strike out "at least twenty," in lines three and four.

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. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Crom-

well, Duryea, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 88 ordered to enrollment.

Assembly Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

The following Senate amendments were submitted:

AMENDMENT No. 1.

After the word "transient," in line seven, insert a comma.

AMENDMENT No. 2.

After the word "use," in line ten, insert a comma.

AMENDMENT No. 3

After the word "shall,' in line eleven, insert a comma.

AMENDMENT No 4.

After the word "intent," in line eleven, insert a comma.

AMENDMENT No 5.

After the word "working," in line twelve, insert: "shall be deemed guilty of a misdemeanor," and strike out remainder of line twelve and all of lines thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, and nineteen.

AMENDMENT No. 6.

After the word "connect," in line five, insert: "or procure another to connect."

AMENDMENT No. 7.

After the word "alter," in line twelve, insert: "or who shall require to be injured or altered."

AMENDMENT No. 8.

After the word "working." in line twelve, insert: "or who shall procure the same to be maliciously tampered with and injured."

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. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Duryea, Fisk, Foster, Greer, Haley, Hanen, Hasson, Hubbard, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, and Walker—46.

NOES—None.

Assembly Bill No. 39 ordered to enrollment.

At eleven o'clock and ten minutes A. M., the Speaker called Speaker pro tem. Ralston to the chair.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 500—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims—have had the same under consideration, and respectfully report the same back, with the request that it be referred to the Committee on Judiciary.

Also: Assembly Bill No. 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said Code, in relation to the plugging of water-producing wells, or holes, drilled or otherwise made, in territory producing oil or similar carbonic substances—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

RALSTON, Chairman.

Assembly Bill No. 500 re-referred to Committee on Judiciary.

MOTION.

Mr. Johnson moved that Senate Bill No. 267 be substituted for Assembly Bill No. 395 (77 on the file).

So ordered.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Stewart of Amador: Assembly Bill No. 601—An Act to appropriate the sum of $213.36 to pay the claim of C. A. Williams, for money due and owing to the said C. A. Williams from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Myers: Assembly Bill No. 602—An Act to encourage the destruction of coyotes; to provide a bounty on coyote scalps, and to make an appropriation therefor.

Read first time, and referred to Committee on Judiciary.

By Committee on Roads and Highways: Assembly Bill No. 603—An Act to place the Lake Tahoe State Wagon Road under the care, control, management, and supervision of the Department of Highways of the State of California, to provide for the necessary alterations and extensions of said road, and the repair and construction of the road structures thereon, and making an appropriation therefor, all of which is for the benefit of the State of California.

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

By Mr. Cavagnaro: Assembly Bill No. 604—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, 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.

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

By Mr. Broughton: Assembly Bill No. 605—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

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

By Mr. Rutherford: Assembly Bill No. 607—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. McWade: Assembly Bill No. 608—An Act to amend Section 110 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 609—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, by repealing Chapter IX of Title IX of Part III of said Act, relating to poll taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Butler: Assembly Bill No. 610—An Act appropriating the sum of $1[illegible],000 to create a revolving fund for the manufacture and sale of brooms, and other like commodities, by the inmates of the Industrial Home for the Adult Blind.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

By Mr. Treadwell: Assembly Bill No. 611—An Act making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California.

Read first time, and referred to Committee on Claims.

RESOLUTION OF RESPECT.

By Mr. Johnson:

WHEREAS, We have learned with unfeigned sorrow of the loss sustained by our friend and fellow-member, Hon. T. J. Sheridan, in the recent death of his honored father; therefore, be it

Resolved, That the heartfelt sympathy of each and every member of the Assembly is hereby extended to said Hon. T. J. Sheridan in this day of his bereavement.

Resolution adopted by rising vote.

RESOLUTIONS.

By Mr. Rutherford:

WHEREAS, Your Committee on Public Buildings and Grounds, authorized to visit various State institutions, among which are the State Normal School at San Diego and the State Normal School at Los Angeles, having visited said institutions, and having made their report on the bills before the committee carrying appropriations for the needs of said institutions, herewith present their bill of expense for said visits, to wit: mileage, as follows:

Rutherford	$114 20
Barnes	114 20
John	114 20
Butler	114 20
Hourigan	114 20
Foster	114 20
McWade	114 20
Feliz	114 20
McLoughlin	114 20
Reeber	114 20
Knight	114 20
Jensen (clerk)	114 20
Total	$1,370 40

And your said committee ask the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of F. M. Rutherford, Chairman of the Assembly Committee on Public Buildings and Grounds, for the sum of $1,370.40, as per foregoing statement, and the Treasurer is directed to pay the same.

Referred to Committee on Mileage.

By Mr. Ralston:

Resolved, That the attachés of the Assembly who are under the supervision of the Sergeant-at-Arms be and they are hereby required to report at nine o'clock A. M. on each legislative day to the Sergeant-at-Arms of the Assembly. Any such attaché failing so to report shall not receive his per diem for the day or days upon which he fails so to report.

Resolution adopted.

LEAVE OF ABSENCE.

The following were granted leave of absence for Monday, viz: Messrs. Feliz, McWade, Reeber, Levinson, Anderson of Santa Clara, Anderson of Solano, Cowan, Kelley, Butler, John, McLoughlin, and Brown of San Francisco.

At eleven o'clock and thirty-two minutes A. M., the Speaker resumed the chair.

On motion of Mr. Melick, the second-reading file was taken up.

SECOND-READING FILE.

Assembly Bill No. 36—An Act to amend Section 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read second time.

Mr. Duryea moved to amend as follows:

Strike out of Section 1, line five, all after the figures "1412," and insert the following: "Upon the death of either spouse, one half of the community property shall go to the survivor, subject to community debts, and the other half shall be subject to the testamentary disposition of the deceased husband or wife, subject also to the community debts. In case no testamentary disposition shall have been made by the deceased spouse, of his or her half of the community property, it shall descend equally to the legitimate issue of his, her, or their bodies If there be no issue of said deceased living, or no representatives of such issue living, then the said community property shall all pass to the survivor, to the exclusion of all other heirs, subject to the community debts, the family allowance, and the charges and expenses of administration."

Amendment adopted.

Assembly Bill No. 36 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 2, 1901.

MR. SPEAKER Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines—have had the same under consideration, and respectfully report the same back, and majority recommend that it do pass as amended, and be referred to the Committee on Judiciary; minority report that it do not pass.

RALSTON, Chairman.

Assembly Bill No. 216 re-referred to Committee on Judiciary.

MOTION.

Mr. Sutro moved that Assembly Bill No. 77 (133 on the file) be taken up for consideration, out of order.

So ordered.

Assembly Bill No. 77—An Act to amend Sections 1136 and 1137 of the Penal Code.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "may," in line five of the printed bill, and inserting in lieu thereof the word "must."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Section 2.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words and figures "Sections 1136 and 1137" in the title, and inserting in lieu thereof the word and figures "Section 1136."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out from the word "the," where it first occurs in line seven of Section 1, to and including the word "fund," in line nine of Section 1 of the printed bill, and inserting in lieu thereof as follows: "And the Auditor, upon the order of the court, shall draw his warrant for the expenses so incurred, and the same shall be paid by the Treasurer of the county, or city and county, out of the General Fund."

Amendment adopted.

Mr. Sutro moved to amend as follows:

SEC. 2 Section 1137 of the Penal Code is hereby amended to read as follows: "1137. Upon retiring for deliberation, the jury may take with them any or all exhibits admitted in evidence in the case, or copies of such public records or private documents constituting such exhibits as ought not, in the opinion of the court, to be taken from the person having them in possession. They may also take with them the written instructions given, and notes of the testimony or other proceedings on the trial taken by themselves, or any one of them, but none taken by any other person."

Amendment lost.

Assembly Bill No. 77 ordered to print, engrossment, and third reading.

ADJOURNMENT.

At twelve o'clock M., on motion of Mr. Sutro, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 4, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—69.

Quorum present.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Thursday, January 31, 1901, was read and approved.

SPECIAL ORDERS.

Mr. Knight moved that action on Assembly Concurrent Resolution No. 6 be postponed until Wednesday, February 6, 1901, to be taken up immediately after reading of the Journal.

So ordered.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Broughton for the day.

SPECIAL ORDER.

SENATE CONCURRENT RESOLUTION No. 5.

Relative to a committee to be appointed for the reception of the President and other officers of the United States Government and the State of Ohio, and the appropriation of money therefor.

Resolved by the Senate, the Assembly concurring, That a committee of twenty members of the Legislature be appointed, such committee to be composed of the President of the Senate and the President pro tempore of the Senate, the Speaker of the Assembly and the Speaker pro tempore of the Assembly, and seven members of the Senate, to be appointed by the presiding officer of the Senate, and nine members of the Assembly, to be appointed by the presiding officer of the Assembly, to act as a committee of arrangements for the reception of the Presidential party at the State Capitol.

Be it further resolved, That the members of the State Legislature of the State of California be and they are hereby constituted a committee of reception of the Presidential party at the State Capitol of the State of California.

Be it further resolved, That the sum of one thousand dollars be and the same is hereby appropriated out of the Contingent Fund of the Senate, and the sum of one thousand dollars be and the same is hereby appropriated out of the Contingent Fund of the Assembly, for the purpose of defraying the expenses of such reception; such money to be expended by the committee on arrangements, as in its judgment may seem best, for the proper reception of the President and his party.

Resolution adopted.

MOTIONS.

Mr. Feliz moved that reconsideration of the vote whereby Assembly Bill No. 560 was on last legislative day passed be postponed until next legislative day.

Mr. Sutro raised the point of order that a quorum was not present.

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

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Feliz, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Johnson, John, Kincaid, Knight, Laird, Mattos, McNeil, Melick, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—42.

Quorum present.

Mr. Johnson moved to reconsider the vote of Saturday whereby Assembly Bill No. 560 was passed.

Mr. Fisk moved to lay the reconsideration of Assembly Bill No. 560 on the table.

Roll call was demanded by Messrs. Feliz, Collins, and Sutro.

The roll was called.

Pending announcement of the result, Mr. Feliz moved a call of the House.

Motion lost.

The result of the vote was announced, and the motion to lay on the table declared carried by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bliss, Carter, Chandler, Clarke, Cromwell, Fisk, Gans, Greer, Haley, Hanen, Hasson, Johnson, John, Milice, Myers, Ralston, Roberts, Rutherford, Stewart of San Diego, Treadwell, Walker, and Mr. Speaker—24.

NOES—Messrs. Atherton, Bauer, Berry, Chiles, Collins, Feliz, Foster, Kincaid, Knight, Laird, Mattos, McNeil, Melick, Ray, Sheridan, Stewart of Amador, Sutro, and Williams—18.

EXPLANATION OF VOTE.

The following explanation was made by Mr. Melick:

MR. SPEAKER: I vote for postponement of this matter because the large commercial bodies of San Francisco ask for a hearing.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Also: Assembly Bill No. 514—An Act appropriating money for the payment of claims against the State arising in the County of Tehama, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and prescribing the duties of the State Board of Examiners in relation to payment of such claims.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Ways and Means.

HENRY, Chairman.

Senate Bill No. 269 and Assembly Bill No. 514 re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No. 56—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fifteth fiscal year—and was presented to the Governor February 4, 1901, at nine o'clock and forty minutes A. M.

Also: Report that the following bills have been correctly engrossed:

Assembly Bill No. 166—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Assembly Bill No 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Assembly Bill No. 291—An Act to define and establish a portion of the eastern boundary of the State of California.

Assembly Bill No 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow-larks.

Assembly Bill No. 362—An Act to amend Section 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo

Assembly Bill No 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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.

Assembly Bill No 431—An Act to amend Section 737 of the Political Code of the State of California, relating to salaries of Superior Judges.

Assembly Bill No. 444—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to

the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

BERRY, Acting Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced, and referred to committees as indicated:

By Mr. Hasson: Assembly Bill No. 612—An Act for the protection of inclosed and cultivated lands in the State of California, and to prevent persons entering thereon with firearms or dogs for the purpose of hunting, pursuing, shooting, or killing game, and to repeal all Acts in conflict therewith.

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

By Mr. Wright: Assembly Bill No. 613—An Act relating to certain contracts for the conditional sale, lease, or hire of railroad and street railway equipment and rolling stock, and providing for the recording thereof.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 614—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds, and their eggs and nests.

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

Also: Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor.

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

Also: Assembly Bill No. 616—An Act to add a new section to the Political Code, and to provide for the waiver and release to the United States by this State of its right, title, and interest in certain sixteenth and thirty-sixth sections of land.

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

Also: Assembly Bill No. 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor.

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

Also: Assembly Bill No. 619—An Act to provide for sinking an artesian well on the grounds of Agnews State Hospital, and making an appropriation therefor.

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

By Mr. Feliz: Assembly Bill No. 620—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.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 621—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872,

by amending Section 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage.

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

By Mr. Stewart of San Diego: Assembly Bill No. 622—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 disposition, by sale or otherwise, of property owned by irrigation districts.

Read first time, and referred to Committee on Irrigation.

Also: Assembly Bill No. 623—An Act to amend Sections 1, 2, 7, and 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by providing for the organization and management of said companies in two or more adjoining counties in this State.

Read first time, and referred to Committee on Corporations.

By Mr. Greer: Assembly Bill No. 624—An Act entitled "An Act to appropriate the sum of $211.61 to pay the claim of B. A. Johnson for supplies furnished the National Guard of California during the month of July, 1894."

Read first time, and referred to Committee on Claims.

RESOLUTIONS.

By Mr. Knight:

Resolved, That Rule 70 be and it is hereby amended in so far as the same affects the wives of sitting members

Resolution adopted.

Also:

Resolved, That Rule 70 be suspended as to ex-members of the Legislature.

Laid on table.

At eleven o'clock and fifteen minutes A. M., the Speaker called Speaker pro tem. Ralston to the chair.

MOTION.

Mr. Melick moved to take up second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor.

Read second time.

A minority of the Committee on Ways and Means presented the following report *in re* Assembly Bill No. 124:

ASSEMBLY CHAMBER, SACRAMENTO, January 31, 1901.

MR SPEAKER: The undersigned, a minority of the Committee on Ways and Means, dissents from the report of the majority in reference to Assembly Bill No. 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor—and recommends that the same do not pass.

COWAN.

MOTION.

Mr. Greer moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 124.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 124 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended

RALSTON, Chairman.

Mr. Fisk moved that the committee report be not adopted.

Mr. Greer moved to amend by adopting the report.

The question being on the motion to adopt the report of committee of the whole.

Roll call was demanded by Messrs. Melick, Fisk, and Knight.

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

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Berry, Bliss, Carter, Chiles, Clarke, Cromwell, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Hubbard, Johnson, John, Laird, Mattos, McNeil, Myers Ray, Roberts, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Williams, and Mr. Speaker—31.

NOES—Messrs. Atherton, Chandler, Collins, Fisk, Kincaid, Knight, Melick, Ralston, Rutherford, Sheridan, and Webber—11.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 6, page three, lines five, six, seven, and eight, printed bill, by striking out the following words: "together with the necessary granite or stone blocks for drains, or culverts, or bridges, free of cost or charge to the Folsom Highway Commissioners for the construction of such highway, ' and inserting in lieu thereof the words: "at cost of production, and ten per cent added, and they shall also furnish such granite or stone blocks for drains, or culverts, or bridges as may be required in the construction of said highway, free of cost or charge to the Folsom Highway Commissioners "

Amendment adopted.

AMENDMENT No. 2.

Amend Section 7, page three, lines one, two, and three, printed bill, by striking out the words "in addition to such crushed or broken rock and granite blocks or stone is hereby appropriated," and inserting in lieu thereof the following words: "is hereby appropriated out of any money in the State Treasury not otherwise appropriated."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 9, page three, line one, printed bill, by inserting after the word "immediately" the words: "*provided*, that the sum hereby appropriated shall not be paid until January 1, 1902, or until the sum of $1,500 has been paid to the Folsom Highway Commissioners by the citizens of Sacramento County for use in constructing this road, or until the Board of Supervisors of Sacramento County have voted and apportioned the said sum of $1,500 for use for such purpose, or until such sum of $1,500 has

been partially paid by said citizens, and the remainder has been so voted and apportioned by said Board of Supervisors."

Amendment adopted.

Assembly Bill No. 124 ordered to print, engrossment, and third reading.

At twelve o'clock and fifteen minutes P. M., the Speaker resumed the chair.

RESOLUTION.

By Mr. Bliss:

WHEREAS, It is impossible for the Committee on Commissions and Public Expenditures to fully investigate the matters mentioned in Rule 30 without making visits to the public institutions of the State; therefore, be it

Resolved, That the members of said committee, together with the clerk, be permitted to visit any State institutions they may deem necessary for the purpose of making such investigation.

Mr. Melick moved that the resolution be printed in the Journal, and considered to-morrow.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

Assembly Bill No. 459—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

BERRY, Acting Chairman.

RESOLUTION.

By Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of thirty six and seventy five one hundredths dollars ($36.75) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay bill as per resolution of January 17, 1901.

Referred to Committee on Ways and Means.

SECOND READING OF BILL.

Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation.

Read second time.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 5, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Williams, and Mr. Speaker—61.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Cavagnaro.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Friday, February 1, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have found correctly enrolled Assembly Bill No 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year—and presented the same to the Governor February 5, 1901, at nine o'clock and thirty-five minutes A. M.

FRANKLIN, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No 8—Relative to asking Representatives to urge investigation of acts of Judge Noyes, Cape Nome

Also: Assembly Joint Resolution No. 12—Relative to the restraint of interstate traffic in convict-made goods

Also: Senate Joint Resolution No 2—Relative to requesting the President of the United States to direct that Dr. J. J Kinyoun, United States Quarantine Officer for San Francisco, be relieved from further service on the Pacific Coast

Also: Senate Joint Resolution No. 10—Relative to the establishment of a boarding-school for Pit River Indians in Modoc County, California

Have had the same under consideration, and respectfully report the same back, and recommend as follows:

First—That Assembly Joint Resolution No. 8 be re-referred to the Committee on Judiciary.

Second—That Assembly Joint Resolution No. 12 be adopted.

Third—That Senate Joint Resolution No. 2, as amended in the Senate and sent to the Assembly, be adopted; this by the majority, a minority dissenting.

Fourth—That Senate Joint Resolution No. 10 be adopted.

This report is accompanied by a report signed by the dissenting minority as to the action taken on Senate Joint Resolution No. 2.

KNIGHT, Chairman.

ON FEDERAL RELATIONS—(MINORITY REPORT).

Inasmuch as only three members of the Committee on Federal Relations were present during the consideration of this resolution, and inasmuch as this said resolution appears to be untimely, therefore, the minority of said committee hereby recommends that the further consideration or passage of Senate Joint Resolution No. 2 asking for the removal of Dr J J. Kinyoun, be indefinitely postponed for the following reasons:

First—The President of the United States being cognizant of the conditions of this coast, and mindful of the health of the people, has sent a commission of scientific experts to investigate, independently of the United States Quarantine Officer, into the existence or non-existence of bubonic plague in San Francisco, and until this commission of experts shall report, this Legislature is not in possession of the facts to a certainty.

Second—Neither Dr. J J Kinyoun nor the United States Quarantine Department have filed, or had presented, with this Legislature any data as to their side of the controversy.

Third—Until this Legislature is in possession of definite data to disprove the assertions of the United States Quarantine Department, it should not be the duty of this Legislature to do a possible injustice to a Federal officer who is here by the deliberate action of the highest authority in the nation

Fourth—The resolution asks President McKinley to relieve Dr. J J. Kinyoun from further service on the Pacific Coast, whereas, this Legislature can only speak for California, and we have no evidence as to how the balance of the coast may feel on this proposition

Fifth—If high authority should absolutely demonstrate the existence of bubonic plague in this State, the passage of this resolution would discredit the standing of this State government outside of the State in thus demanding the removal of a Federal officer who had fearlessly held to the truth.

Sixth—Public health, not private commercialism, should be the basis of judgment for legislative actions of this kind.

Respectfully submitted W S. MELICK

SPECIAL ORDERS.

Mr. Johnson moved that Assembly Bills Nos. 558 and 559 be re-referred to Committee on Judiciary, hold places on file, and be made special order for one week from to-day, immediately after reading of the Journal.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 36—An Act to amend Section 1402 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Assembly Bill No. 77—An Act to amend Section 1136 of the Penal Code.

FRANKLIN, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 571—An Act to authorize any taxpayer to bring an action on his relation in the name of the State to abate any public nuisance in any way affecting him, or his family, or his property—report the same back, with five amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 216—An Act to promote safety in mines and creating the office of Inspector of Mines—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation and the consumers of such water

Also: Assembly Bill No 570—An Act to amend Section 379 of the Code of Civil Procedure

Also: Assembly Bill No. 572—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 680.

Report the same back, with the recommendation that they do pass.

Also: Assembly Bill No. 527—An Act to amend Section 963 of the Code of Civil Procedure, relative to appeals in civil cases—report the same back by a majority vote, and recommend that it do pass.

Also: Assembly Bill No. 75—An Act to amend Section 686 of the Penal Code, looking to the rights of the defendant in a criminal action—report the same back by a majority vote, and recommend that it do not pass.

Also: Assembly Bill No. 590—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levying of taxes for payment thereof, and the disposition of moneys raised thereby—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, by adding thereto after the figures "180" the letter "a," relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc.—report the same back, with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No 554—An Act to amend Section 896 of the Penal Code, relating to challenges to an individual grand juror—report the same back, with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No. 434- An Act to amend Section 165 of the Penal Code, relating to crimes and penalties—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 182—An Act to amend Section 264 of the Penal Code of the State of California, relating to the punishment of the crime of rape—report the same back, with the recommendation that it do not pass.

Also: Assembly Bill No. 450—An Act to amend Sections 1441 and 1443 of the Penal Code of the State of California, relative to the verdict of juries in justices' and police courts—report the same back, and recommend that it do not pass, as the same is unconstitutional.

Also: Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code, relative to gambling, slot machines, etc

Also: Assembly Bill No. 518—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Report the same back, with the recommendation that they do pass

Also: Assembly Bill No. 100—An Act providing for the publication of legal or official advertising—report the same back by a majority vote, and recommend that it do not pass.

Also: Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty therefor—report the same back, with leave given to the author to withdraw the same, as the subject-matter is covered by Assembly Bill No. 588.

Also: Assembly Bill No 103—An Act to amend Section 3839 of the Political Code of the State of California, relating to poll tax—report the same back, with the recommendation that it do not pass, as it is unconstitutional

Also: Assembly Bill No 17—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages for personal injuries resulting in death and interest on verdicts for such damages

Also: Assembly Bill No 239—An Act to amend Section 376 of the Code of Civil Procedure, relating to actions for damages for injuries to minors caused by wrongful act or neglect.

Report the same back by a majority vote, and recommend that they do not pass.

JOHNSON, Chairman.

ON JUDICIARY—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: The undersigned, a minority of the Committee on Judiciary, dissents from the action of the majority on Assembly Bill No. 100, and recommend that it do pass, with two amendments.

G. L. JOHNSON.
E. D. KNIGHT.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: We, the undersigned, members of the Committee on Judiciary, dissent from the majority report on Assembly Bill No. 17, and recommend that the same do pass.

R. H. MYERS.
T. J. SHERIDAN.
H. W. BROWN.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: We the undersigned, members of the Committee on Judiciary, dissent from the majority report on Assembly Bill No. 239, and recommend that the same do pass.

R. H. MYERS.
T. J. SHERIDAN
H. W. BROWN.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

Also: Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Also: Senate Bill No. 37—An Act appropriating money for improvement and repairs on the laundry at the Preston School of Industry

Also: Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Also: Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

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

Also: Assembly Bill No. 29—An Act appropriating money for improvement and repairs on the laundry at the Preston School of Industry—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. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 45—An Act making an appropriation to pay the deficiency for pay of officers and clerks of the Assembly, thirty-third session, fiftieth fiscal year—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. 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 516—An Act to provide for the location, construction, and maintenance of a State highway from Mount Hamilton Observatory, in Santa Clara County, to the San Joaquin River, in Stanislaus County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

FISK, Chairman.

Assembly Bill No. 29 withdrawn by author.

ON ROADS AND HIGHWAYS

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 532—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula Valleys, 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 584—An Act to provide for the location, construction, and maintenance of a State highway commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Irish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund; prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, with three amendments, and recommend that it do pass as amended.

MERRITT, Chairman.

Assembly Bills Nos. 532 and 584 re-referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 379—An Act prescribing the conditions upon which corporations organized under the laws of any State or country, other than the State of California, may be permitted to

transact a telephone business, other than an interstate telephone business, within the State of California, and prescribing the penalties for a violation of this Act—have had the same under consideration, and respectfully report the same back, with five amendments, and recommend that it do pass as amended.

Also: Assembly Constitutional Amendment No 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article IV, Section 33 thereof, relating to the regulation of charges of telephone corporations—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

BROUGHTON, Chairman

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 502—An Act to amend the Penal Code of the State of California, relating to the preservation of game—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 accompanying bill be substituted in lieu thereof.

HIGBY, Chairman.

Assembly Bill No. 502 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502)—An Act to amend the Penal Code of the State of California relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR SPEAKER: Your Committee on Revision and Reform of Laws, to whom was referred Assembly Bill No. 118—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections—have had the same under consideration, and report the same back, and respectfully recommend that the bill accompanying this report be introduced as a substitute, and that such substitute do pass.

Your committee further report that said Assembly Bill No. 118 embodies the suggestions made by the Commission for the Revision and Reform of Laws, as to the revision of the Code of Civil Procedure, and embodied in their report heretofore filed with the Secretary of State.

That in considering said bill, your committee met in joint sessions with a like committee of the Senate.

That said substitute bill accompanying this report is substantially the same as the said Assembly Bill No. 118, and is introduced in the form of a substitute, for the reason that several of the provisions of the bill heretofore introduced were not adopted, and it was necessary to renumber the sections of the bill, which could not well be done by separate amendments.

Respectfully submitted. TREADWELL, Chairman.

Assembly Bill No. 118 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 626 (Committee Substitute for Assembly Bill No. 118)—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read first time, and ordered on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 4, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 260—An Act to provide for the completion and equipment of

the building now being constructed for the use of the State Normal School of San Diego and making an appropriation therefor

Also: Adopted Senate Joint Resolution No. 14—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives to visit the State of California.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School of San Diego, and making an appropriation therefor.

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

Senate Joint Resolution No. 14—Inviting the Committee on Rivers and Harbors of the House of Representatives to visit the State of California.

Read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, February 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 237—An Act to amend Section 2003 of the Political Code.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 237—An Act entitled an Act to amend Section 2003 of the Political Code.

Read first time, and referred to Committee on Military Affairs.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

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

By Ways and Means Committee: Assembly Bill No. 627—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits for violation of fish and game laws, for the fifty-first and fifty-second fiscal year.

Read first time, and placed on file.

By Mr. Bliss: Assembly Bill No. 628—An Act to amend the Political Code of the State of California, by adding a new section thereto, to be known as Section 3388, relating to the collection of license taxes.

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

By Mr. Barnes: Assembly Bill No. 629—A proposed Act providing for the registration of, and to regulate the sale of registered commercial fertilizers or registered materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Read first time, and referred to Committee on Agriculture.

By Mr. Sheridan: Assembly Bill No. 630—An Act to amend Section No. 196 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

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

By Mr. Levinson: Assembly Bill No. 631—An Act entitled "An Act to amend Section 3494 of the Political Code of the State of California, providing for the amount of the purchase price and the time and terms of payment of school lands belonging to the State of California.

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

By Mr. Milice: Assembly Bill No. 632—An Act to amend Section 178 of an Act to establish a uniform system of county and township governments, approved April 1, 1897.

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

By Mr. Johnson: Assembly Bill No. 633—An Act to amend Section 162 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Simpson: Assembly Bill No. 634—An Act appropriating $300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Read first time, and referred to Committee on Claims.

By Mr. Ralston: Assembly Bill No. 635—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 636—An Act to amend Section 2651 of the Political Code, relating to the setting apart and use of a general road fund by Boards of Supervisors.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Brown of San Mateo: Assembly Bill No. 637—An Act to repeal Section 1718 of the Code of Civil Procedure of the State of California, relating to the appointment of attorneys for minor or absent parties.

Read first time, and referred to Committee on Judiciary.

By Mr. Atherton: Assembly Bill No. 638—An Act to amend Section 2653 of the Political Code, relating to highways.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Carter: Assembly Bill No. 639—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered and designated as Section 335*a*, fixing the period of limitation of certain actions, and to amend Sections 337 and 339 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited.

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

By Mr. Dunlap: Assembly Bill No. 641—An Act to amend the Civil Code of the State of California by amending Section 499 thereof.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 642—An Act appropriating $5,000 to pay the claim of Addie McGinness.

Read first time, and referred to Committee on Claims.

Assembly Constitutional Amendment No. 20—A resolution proposing to the people of the State of California an amendment to Section 3 of Article XIII of the Constitution of the State, in relation to corporations.

Referred to Committee on Judiciary.

MOTION.

Mr. Melick moved that Senate Bill No. 367 be recalled from Committee on Banks and Banking and substituted for Assembly Bill No. 459 (No. 97 on file).

So ordered.

EXPLANATION OF VOTE.

Mr. Sutro made the following explanation:

MR. SPEAKER: On Saturday, February 2, 1901, I voted for Assembly Bill No. 560. On February 4, 1901, I voted against the motion to lay the reconsideration of said bill upon the table because large commercial interests in the State requested to be heard before final passage of the bill, and because I believe the Assembly should discuss their opposition to the measure as set forth in the following resolutions:

WHEREAS, Certain bills purporting to be in the interests of the health of the State were introduced in both houses of the State Legislature at Sacramento on January 30, 1901, and apparently supplementing a bill, Assembly Bill No. 294, which provides for a State Quarantine Officer; and

WHEREAS, Said bills so introduced have, as we believe, for their ultimate end the same motive as said Assembly Bill No. 294, with an additional lavishness of State money, and at the same time the said bills tend to greatly and uselessly magnify in the public mind a danger which is seldom present and which the people of this State are amply protected against by and at the expense of the Federal authorities; and

WHEREAS, One of said bills appropriates $100,000 of public money to be expended at the pleasure of the Governor of this State, without restriction; and

WHEREAS, Said bills so introduced on January 30, 1901, were rushed through the State Assembly and passed second reading by said body with unseemly haste, and apparently without due, or any, consideration on February 1, 1901; and

WHEREAS, Said bills were passed with unseemly haste on the plea that an emergency existed which justified such action; and

WHEREAS, There exists no emergency in the health conditions of this State; and

WHEREAS, A quiet and orderly investigation by the Federal authorities of the health condition of this port, said to be now in progress, does not justify a voluntary conflict with said authorities, nor create an emergency; and

WHEREAS, There exists no good reason why such legislation should not be considered with due deliberation and be submitted to the usual and proper criticism of the people of the State before being enacted into a law; and

WHEREAS, The Federal authorities provide, at the expense of the United States Government, a complete quarantine inspection service at this port, with a station furnishing ample accommodations and care for all infected vessels and persons; and

WHEREAS, The one criticism heard regarding the said Federal Quarantine Service is a universal unpopularity of the chief officer thereof; and

WHEREAS, Although said unpopularity of said quarantine officer appears to be well founded, the same is improperly being used as an argument in favor of establishing an additional quarantine service at the expense of this State; and

WHEREAS, We believe that the appointment of a State Quarantine Officer would only result in conflict of authority, as heretofore, and not in any benefit to the State, or in the removal or displacing of the Federal service and inspection; now, therefore, be it

Resolved, By the several commercial organizations of the city and county and port of San Francisco, in conference assembled at the rooms of the Chamber of Commerce thereof, on this 2d day of February, 1901, that these organizations are opposed to the passage or adoption by the State Legislature of said bills in their present form, or to any bills without proper and deliberate consideration, or to any bill or bills that provide for a State Quarantine Officer with any authority or control over the shipping or commerce of this port; or to any bill or bills that will invite or result in a conflict with the Federal authorities on quarantine matters, or that provide for the unnecessary expenditure, and consequent waste, of large or any sums of public money; and be it

Resolved, That we earnestly protest against the adoption of the aforesaid bills, and petition the honorable members of the State Senate and Assembly that they do work and vote in accordance herewith; and be it

Further resolved, That copies of these resolutions be forwarded to the members of the California State Legislature forthwith.

CERTIFICATE—We, the undersigned, hereby certify that the above preambles and resolutions were duly adopted at said meeting, and that the same have the unqualified sanction and approval of our several organized bodies:

Chamber of Commerce—By W. E Mighell, Second Vice-President; Shipowners' Association of the Pacific Coast—By A. M. Simpson, President; Board of Trade of San Francisco—By A. A Watkins (per W. R. W.), President; Merchants' Association of San Francisco—By F. W. Dohrmann, President; Manufacturers and Producers' Association—By A. Sbarbaro, President; Produce Exchange—By G. W. McNear, President; San Francisco Committee on Commerce—By Wm. R. Wheeler, Chairman.

RESOLUTIONS.

By Mr. Guilfoyle:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of $1,039.12 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per following bills attached:

Mrs. C. McCall	$4 50
D. Johnston & Co.	18 00
W. L. Reed	28 00
Buffalo Brewing Co.	10 00
Siller Bros.	5 00
Siller Bros.	5 00
Capital Telephone Co.	21 00
Thos. Scott	27 50
Thos Scott	28 75
United Typewriter Supply Co.	36 00
Thos. Scott	41 00
D. Johnston & Co	1 20
Locke & Lavenson	11 05
Locke & Lavenson	67 75
Ahl & Daily	67 25
H. S. Crocker Co.	388 17
John Bruener Co.	220 15
John Pullford	58 80
Total	$1,039 12

Referred to Committee on Ways and Means.

By Mr. Hasson:

Resolved, That the Committee on Public Health and Quarantine, and the clerk thereof, be given leave of absence on Wednesday, February 6, 1901, for the purpose of visiting San Francisco, and examining matters referred to in Assembly Bill No. 294, now before said committee.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure—report the same back, with seven amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 140—An Act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof—report the same back, with four amendments, and recommend that it do pass as amended

Also: Assembly Bill No 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the laws of 1897—report the same back, with one amendment, and recommend that it do pass as amended.

JOHNSON, Chairman.

MOTION.

Mr. Johnson moved that the Assembly do now consider Assembly Bills Nos. 139, 140, and 142.

So ordered.

Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "the," in line fourteen, Section 1 of printed amended bill, add the words "third and the."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "and third," in line sixteen, Section 1 of printed amended bill.

Amendment adopted.

AMENDMENT No. 3.

After the first "the" in line sixteen, Section 1 of printed amended bill, add "first and one half and the."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "or fourth," in line thirty-one of Section 1 of printed amended bill, and in same line, after the word "first," add the words "first and one half"; and after the word "second," in same line, add the word "or."

Amendment adopted.

AMENDMENT No. 5.

After the word "the," in line forty, Section 1 of printed amended bill, add the words "second or."

Amendment adopted.

AMENDMENT No. 6.

Strike out the word "second," in line forty-two, Section 1 of printed amended bill, and insert in lieu thereof the words "first and one half."

Amendment adopted.

AMENDMENT No. 7.

After the word "each," in line forty-three, Section 1, add the word "city"

Amendment adopted.

Assembly Bill No. 139 ordered to print, engrossment, and third reading.

Assembly Bill No. 140—An Act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

The following amendments were submitted by the Committee on Judiciary:

AMENDMENT No 1.

Strike out the word "second," in line two of the title, and insert in lieu thereof the words "first and one half"

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "second," in line one, Section 1 of the printed bill, and insert in lieu thereof the words "first and one half."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "eight," in line ten, Section 6 of printed bill, and insert in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "two thousand," in line six, Section 7 of the printed bill, and insert in lieu thereof the words "fifteen hundred."

Amendment adopted.

Assembly Bill No. 140 ordered to print, engrossment, and third reading.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

The following amendments were submitted by the Committee on Judiciary:

Strike out the word "second," in line twelve, Section 1 of printed bill, and insert in lieu thereof the words "first and one half"; in line fourteen of same section strike out the

word "third," and insert in lieu thereof the word "second"; in line fifteen of same section strike out the word "ten," and insert in lieu thereof the word "fifteen"; in line sixteen of same section strike out the word "fourth," and insert in lieu thereof the word "third"; in line seventeen of same section strike out the word "three," and insert in lieu thereof the word "ten," and in same line also strike out the word "ten," and insert in lieu thereof the word "fifteen"; in line eighteen of same section strike out the word "fifth," and insert in lieu thereof the word "fourth," and after the word "of," in the same line, add the words "more than three thousand and"; in line nineteen of same section strike out the word "three," and insert in lieu thereof the word "ten," and in same line strike out the word "sixth," and insert in lieu thereof the word "fifth"; add at the end of line nineteen of same section the following: "those having a population of not exceeding three thousand shall constitute the sixth class."

Amendments adopted.

Assembly Bill No. 142 ordered to print, engrossment, and third reading.

UNFINISHED BUSINESS.

The question being on the adoption of the resolution by Mr. Bliss, printed in the Journal.

Mr. Treadwell offered the following substitute resolution:

WHEREAS, It is impossible for the Committee on Commissions and Public Expenditures to fully investigate the matters mentioned in Rule 30 without making visits to certain public institutions of the State; therefore, be it

Resolved, That the members of said committee, together with a clerk, be permitted to visit the hospitals for the insane for the purpose of making such investigation, if they deem it necessary.

Resolution adopted.

EXPLANATION OF VOTE.

Mr. Melick made the following explanation:

Although I am a member of the Committee on Commissions and Public Expenditures, I see no reason for this committee leaving the State Capitol to get data sufficient for the most intelligent needs of the committee for any recommendations or the formulation of any bills which this Assembly is likely to adopt.

MOTION.

Mr. Johnson moved that Assembly Bill No. 140 be re-referred to Committee on Judiciary.

So ordered.

REPORT AND RESOLUTION.

By Mr. Irish:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Whittier Reform School at Whittier, Cal., have visited the same.

The following members are entitled to mileage for the same, to wit: one thousand miles:

Irish, Chairman	$100 00
Savage	100 00
Brady	100 00
Brown of San Mateo	100 00
Merritt	100 00
Evatt	100 00
Franklin	100 00
Schlesinger	100 00
Simpson	100 00

And we ask the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant in favor of J. B Irish, chairman of said committee, for the sum of $900, as per above statement, said warrant to be drawn upon the fund for the contingent expenses of the Assembly, and the Treasurer be directed to pay same.

IRISH, Chairman.

Referred to Committee on Mileage.

SPECIAL FILE.

Assembly Bill No. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Pendleton in the chair, for the purpose of considering Assembly Bill No. 104.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 104 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 104 ordered to engrossment and third reading.

Assembly Bill No. 29 withdrawn by author, and Senate Bill No. 37 substituted therefor, they being identical bills.

Senate Bill No. 37—An Act appropriating money for improvements and repairs of the laundry at the Preston School of Industry.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Pendleton in the chair, for the purpose of considering Senate Bill No. 37.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 37 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 37—An Act appropriating money for improvement and repairs of the laundry at the Preston School of Industry—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 37 ordered to third reading.

Assembly Bill No. 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read second time.

Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Pendleton in the chair, for the purpose of considering Assembly Bills Nos. 28 and 268.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 28 and 268 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Also: Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

And do now report the same back, with amendments, and recommend that they do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "three thousand five" in line three, first page, printed bill, and inserting in lieu thereof the word "eight."

Amendment adopted.

AMENDMENT No. 2.

After the word "of," in line two, strike out the words "three thousand five hundred," and insert instead thereof the words "one thousand six hundred."

Amendment adopted.

Assembly Bill No. 28 ordered to print, engrossment, and third reading.

Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

The following committee amendment was submitted:

After the word "of," in line two of Section 1, strike out the words "five hundred," and insert instead thereof the words "two hundred and fifty."

Amendment adopted.

Assembly Bill No. 268 ordered to print, engrossment, and third reading.

At ten o'clock and fifty-seven minutes A. M., the Speaker called Mr. Schlesinger to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

A resolution to propose to the people of the State of California an amendment to Section 8 of Article XII of the Constitution of the State of California, in relation to corporations.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, Anno Domini one thousand nine hundred and one, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that Section 8 of Article XII of the Constitution of the State of California be amended to read as follows:

Section 8. The exercise of the right of eminent domain shall never be so abridged or construed as to prevent the Legislature from taking the property and franchises of incorporated companies and subjecting them to public use the same as the property of individuals, and the exercise of the police power of the State may be by law so extended as to compel corporations, person or persons, to conduct their business in such manner as not to infringe the rights of individuals and the general well-being of the State, and such police power of the State may be by law so extended as to limit and regulate the hours of labor, intermissions for meals, and hours of rest of laborers, mechanics, and artisans in the employ of all corporations, person or persons, or any particular class of corporations.

Amendment read.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—57.

NOES—None.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 262—An Act to pay the claim of Ed E. Leake 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.

HENRY, Chairman.

Assembly Bill No. 262 re-referred to Committee on Ways and Means.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 475—An Act to amend an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Judiciary.

Also: Assembly Bill No. 195—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GREER, Chairman.

Assembly Bill No. 475 re-referred to Committee on Judiciary.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 350—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Read second time.

Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the fiftieth fiscal year.

Read second time.

Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation in stationery, fuel, lights, and supplies

for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years.

Read second time.

Senate Bill No. 45—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years.

Read second time.

SUBSTITUTION OF BILL.

Mr. Johnson moved that Senate Bill No. 269 be substituted on the file for Assembly Bill No. 350, they being identical bills.

So ordered.

Senate Bill No. 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Schlesinger in the chair, for the purpose of considering Senate Bills Nos. 49, 48, 47, 45, and 269.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Schlesinger in the chair.

Senate Bills Nos. 49, 48, 47, 45 and 269 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Schlesinger in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Also: Senate Bill No 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Also: Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to Capitol building and furniture for the fiftieth fiscal year.

Also: Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation in stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years

Also. Senate Bill No. 45—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years.

And do now report the same back, and recommend that they do pass, except that Senate Bill No 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office—be substituted for Assembly Bill No. 350, and that it do pass.

SCHLESINGER, Chairman.

Report adopted.

Senate Bills Nos. 49, 48, 47, 45, and 269 ordered to third reading.

Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 410—An Act amending Section 1189 of the Political Code, relating to elections.

Read second time.

Assembly Bill No. 579 (Committee Substitute for Assembly Bill No. 410)—An Act to amend Section 1192 of the Political Code, relating to elections.

Read second time.

Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Schlesinger in the chair, for the purpose of considering Assembly Bills Nos. 579, 410, and 80.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Schlesinger in the chair.

Assembly Bills Nos. 579, 410, and 80 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Schlesinger in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles—and do now report the same back, with amendments, and recommend that the same do pass as amended.

SCHLESINGER, Chairman.

Report adopted.

Assembly Bills Nos. 579 and 410 ordered to engrossment and third reading.

Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line eight of printed bill, by inserting the words "finishing and" between the words "for" and "furnishing."

Amendment adopted.

AMENDMENT No 2.

Amend Section 1, lines eight and nine, printed bill, by striking therefrom the words "the new rooms constructed in"

Amendment adopted.

Assembly Bill No. 80 ordered to print, engrossment, and third reading.

At eleven o'clock and forty minutes A. M., the Speaker resumed the chair.

Assembly Constitutional Amendment No. 10—Relative to amending Article VI of the County Government Act.

Read.

The roll was called, and Assembly Constitutional Amendment No. 10 lost by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bliss, Brady, Broughton,

Carter, Chandler, Chiles, Cromwell, Foster, Gans, Hanen, Higby, Irish, Irving, James, John, Kincaid, Knight, Mattos, McNeil, Melick, Radcliff, Ralston, Ray, Reeber, Rutherford, Stewart of Amador, Walker, and Williams—31.

NOES—Messrs. Bauer, Berry, Brown of San Mateo, Clarke, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Greer, Guilfoyle, Haley, Hasson, Hourigan, Hubbard, Levinson, McWade, Merritt, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, and Mr Speaker—29.

NOTICE OF RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 10 was this day lost.

MOTION.

Mr. Brown of San Mateo moved that when the hour of adjournment arrived, the Assembly take recess until two o'clock P. M.

Motion lost.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing actual expenses to the Committee on State Prisons and Reformatory Institutions, beg leave to report as follows:

Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Whittier Reform School at Whittier, California, have visited the same. The following members are entitled to mileage for same, to wit: one thousand miles:

Irish, Chairman	$100 00
Savage	100 00
Brady	100 00
Brown of San Mateo	100 00
Merritt	100 00
Evatt	100 00
Franklin	100 00
Schlesinger	100 00
Simpson	100 00
Total	$900 00

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of J. B. Irish, Chairman of the Committee on State Prisons and Reformatory Institutions, for the sum of $900, as per foregoing statement, and the Treasurer is directed to pay the same.

Also: Assembly resolution allowing actual expenses to the Committee on Public Buildings and Grounds—beg leave to report as follows.

WHEREAS, Your Committee on Public Buildings and Grounds, authorized to visit various State institutions, among which are the State Normal School at San Diego and the State Normal School at Los Angeles, having visited said institutions, and having made their report on the bills before the committee carrying appropriations for the needs of said institutions, herewith present their bill of expense for said visits, to wit: mileage, as follows:

Rutherford	$114 20
Barnes	114 20
John	114 20
Butler	114 20
Hourigan	114 20
Foster	114 20
McWade	114 20
Feliz	114 20
McLoughlin	114 20
Reeber	114 20
Knight	114 20
Jensen (clerk)	114 20
Total	$1,370 40

And your said committee ask the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of F. M. Rutherford, Chairman of the Assembly Committee on Public Buildings and Grounds, for the sum of $1,370.40, as per foregoing statement, and the Treasurer is directed to pay the same.

Also: Assembly resolution allowing actual expenses to the Committee on Commerce and Navigation—beg leave to report as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 1, 1901.

MR. SPEAKER: Your Committee on Commerce and Navigation beg leave to report that they have visited San Francisco, in accordance with a resolution adopted by the Assembly January 30, 1901, and that there is now due to each of the following named persons the sums set opposite their several names for mileage:

M. W. Brady	$18 00
J. McD. Kelley	18 00
G. G. Radcliff	18 00
Geo. C. Brown	18 00
J. F. Collins	18 00
Geo. J. McLoughlin	18 00
Frank Storer (clerk)	18 00
Total	$126 00

And we therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of M. W. Brady for the sum of $126, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

BRADY, Chairman.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

EVATT, Chairman.

Report and resolutions adopted.

MOTIONS.

Mr. Johnson moved that Assembly Bill No. 230 be taken up for consideration.

Mr. Schlesinger moved that Assembly Bill No. 230 be made special order for to-morrow.

So ordered.

Mr. James moved that Assembly Bill No. 302 be re-referred to Committee on Judiciary.

So ordered.

ADJOURNMENT.

At twelve o'clock and thirty minutes P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 6, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo,

Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Irish, Irving, James, John, Kelley, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—62

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Kincaid, Johnson, Simpson, Hubbard, and Chiles for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Brown of San Mateo, the further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journals of Saturday, February 2, 1901, and Monday, February 4, 1901, were read and approved.

SPECIAL ORDER.

Mr. Knight moved that consideration of Assembly Concurrent Resolution No. 6 be laid over for the day.

Mr. Brown of San Mateo moved to amend by postponing consideration until Thursday, February 14, 1901, and making same special order for that time.

Amendment carried.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 104—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California

Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections

Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections

Assembly Bill No. 410—An Act amending Section 1189 of the Political Code, relating to elections.

Assembly Bill No. 579—An Act to amend Section 1192 of the Political Code, relating to elections.

BERRY, Acting Chairman.

SPECIAL ORDER.

Mr. Brown of San Mateo moved that Assembly Bill No. 230 be continued special order until to-morrow.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Also: Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

Also: Assembly Bill No 27—An Act making an appropriation for the purpose of placing a flume and flood-gates at the mouth of Lake Earl, in Del Norte County, and providing for the manner of its expenditure

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 making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the Attorney-General for the remainder of the fifty-first fiscal year.

Also: Assembly Bill No. 273—An Act making an appropriation to pay the claim of John E Raker for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Also: Assembly Bill No. 463—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that their authors be permitted to withdraw same.

Also: Assembly Bill No 43—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office, as messenger and clerk therefor during the year 1900, from January, 1900, to September, 1900, inclusive.

Also: Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

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

Also: Assembly Bill No 347—An Act to create the office of Sheep Inspector for the State of California, to provide for the appointment, and to define the powers and duties of said officer and his deputies, and their compensation, and providing for the prosecution of offenses under the same, and to suppress and prevent dissemination of scab among sheep—have had the same under consideration, and respectfully report the same back, and recommend that it is not a proper matter to come before this committee, as it carries no appropriation

Also: Assembly Bill No. 87—An Act making an appropriation to pay the claim of the County of Marin against the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and take the place of Assembly Bill No. 104 on the file.

FISK, Chairman

Report adopted.

Assembly Bills Nos. 57 and 463 withdrawn by authors.

SECOND READING OF BILL.

Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read second time.

Mr. Fisk moved that the Assembly do now resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 64.

So ordered.

IN COMMITTEE OF THE WHOLE.

The Speaker in the chair.

Senate Bill No. 64 was considered in Committee of the Whole.

IN ASSEMBLY.

The Speaker in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 64 ordered on special file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 262—An Act to pay the claim of Ed E. Leake against the State of California

Also: Committee Substitute for Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year

Also: Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor

Also: Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Also: Assembly Bill No. 368—An Act making an appropriation to pay the claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Also: Assembly Bill No 426—An Act making an appropriation to pay the claim of William J Elder for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Also: Senate Bill No 52—An Act to provide for the payment of the claim of John E. Raker, District Attorney of Modoc County, for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor.

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

FISK, Chairman.

ON WAYS AND MEANS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor—have had the same under consideration, and respectfully report the same back, and the undersigned members of the committee, as a minority thereof, recommend that it do pass.

COWAN.
JAMES
GREER.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No. 175—An Act appropriating money for the purchase of books for the use of the Preston School of Industry—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

Also: Assembly Bill No. 408—An Act entitled "An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

IRISH, Chairman.

Senate Bill No. 175 referred to Committee on Ways and Means.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901

MR. SPEAKER. Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 363—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 boards of trustees of cities of the fifth class.

Also: Assembly Bill No. 327—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863, and to repeal an Act amendatory thereof, entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

Also: Assembly Bill No 429—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Also: Assembly Bill No. 352—An Act to amend Section 2 of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

Also: Senate Bill No. 125—An Act to amend Chapter III of Title II of Part III of the Code of Civil Procedure of the State of California, by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under "The Local Improvement Act of 1901."

Also: Senate Bill No. 126—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as "The Local Improvement Act of 1901."

Have had the same under consideration, and report the same back with the recommendation that they do pass

Also: Assembly Bill No 348—An Act amending Section 752 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the election and terms of office of officers of cities of the fifth class—report the same back, with two amendments, and respectfully recommend that the same do pass as amended.

Also: Assembly Bill No 7—An Act authorizing incorporated cities and towns to clean or sprinkle streets, and to remove weeds therefrom—report the same back, and respectfully recommend that the author be permitted to withdraw the same.

Also: Assembly Bill No. 346—An Act to provide for the laying out, opening, grading, sewering, curbing, macadamizing or paving, and sidewalking streets or alley-ways, or repairing same within municipalities or cities of five thousand inhabitants, or more, and to condemn and acquire any and all land necessary for that purpose

Also: Assembly Bill No 349—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 19, 1883, relating to the officers of cities of the fifth class.

Report the same back, and respectfully recommend that the same do not pass.

SAVAGE, Chairman.

Assembly Bill No. 7 withdrawn by author.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 4, 1901.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 437—An Act making an appropriation to pay the claim of William Cronan for extra work performed in the construction of the Union Depot and Ferry House at San Francisco—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

HENRY, Chairman.

Assembly Bill No. 437 re-referred to Committee on Ways and Means.

MOTIONS.

Mr. Sutro called up his notice of reconsideration *in re* Assembly Constitutional Amendment No. 10, and moved to postpone the same for one week.

Mr. Brown of San Mateo moved to lay the notice and motion on the table.

Motion lost.

The question recurring on the motion of Mr. Sutro to postpone for one week.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 243—An Act appropriating $50,000 for the maintenance of the San Francisco State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 65—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the Home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Also: Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

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

RUTHERFORD, Chairman.

Assembly Bills Nos. 243, 65, and 207 re-referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Constitutional Amendment No. 11—Relative to amending of city and city and county charters.

Also: Assembly Bill No 326—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Also: Senate Bill No 240—An Act amending Section 3658 and repealing Section 3704 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

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

McWADE, Chairman

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 541—An Act to define the duties and liabilities, and to limit the powers of employment agents

Also: Assembly Bill No. 542—An Act regulating the use of trade union labels upon printed matter furnished by or for the State of California.

Also: Assembly Bill No. 543—An Act regulating the hours of service, on regular duty, by members of the fire department of cities and cities and counties.

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

C. R. STEWART, Acting Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 4, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

Also: Senate Bill No 279—An Act to amend Section 237 of the Penal Code of California, relating to the punishment for false imprisonment

Also: Senate Bill No. 341—An Act to add a new section to the Penal Code, to be numbered 246, defining the offense of malicious assault with a deadly weapon or instrument, by a person confined in the State Prison under life sentence, and prescribing the punishment therefor

Also: Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution, by whatever

name the same may now or hereafter be known, under conviction for a penal offense, on a Monday.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works for the fifty-first fiscal year, and directing from what source such payment shall be made.

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

Senate Bill No. 279—An Act to amend Section 237 of the Penal Code of California, relating to punishment for false imprisonment.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 341—An Act to add a new section to the Penal Code, to be numbered 246, defining the offense of malicious assault with a deadly weapon or instrument by a person confined in the State Prison under life sentence, and prescribing the punishment therefor.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution, by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday.

Assembly Bill No. 213 ordered to enrollment.

At ten o'clock and thirty-five minutes A. M., the Speaker called Mr. Ralston to the chair.

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 2—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Also: Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payments thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Also: Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Also: Senate Bill No. 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 2—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read first time, and ordered on file (taking the place of Assembly Bill No. 87, they being identical).

Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,'

approved March 23, 1893, reducing the amount of such appropriation per capita."

Read first time, and referred to Committee on Military Affairs.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

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

Senate Bill No. 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

Read first time, and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Also: Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor

Also: Senate Bill No 167—An Act making an appropriation for the erection in the State burial plot at Sacramento, monuments or headstones at the graves of Hon E. G. Waite, late Secretary of State; Hon. Levi Rackliffe, late State Treasurer; Hon. Dana Perkins, late State Librarian; Hon. Thomas A. Springer, late State Printer, and Hon Barnabas Collins, late Assemblyman from the Seventh Assembly District.

Also: Senate Bill No. 180—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Also: Senate Bill No 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Also: Senate Bill No. 201—An Act to define and establish a portion of the eastern boundary of the State of California.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 167—An Act making an appropriation for the erection of monuments or headstones at the graves of Hon. E. G. Waite, late Secretary of State; Hon. Levi Rackliffe, late State Treasurer, and Hon. Dana Perkins, late State Librarian, in the State burial plot at Sacramento.

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

Senate Bill No. 180—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 201—An Act to define and establish a portion of the eastern boundary of the State of California.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 206—An Act making an appropriation to pay the claim of A. L. Wood for $300.

Also: Senate Bill No 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan corporations.

Also: Senate Bill No. 218—An Act to amend Section 849 of the Code of Civil Procedure, relating to the service of summons issued from Justices' Courts, and by whom and how such summons may be served.

Also: Senate Bill No 222—An Act appropriating the sum of $611 30 to pay the claim of F. Phillips against the State of California.

Also: Senate Bill No. 246—An Act to amend Section 638 of the Civil Code of the State of California

Also: Senate Bill No. 268—An Act to make an appropriation to pay the claim of John S. Wilkins, for services rendered for the State Quarantine Office as messenger and clerk therefor during the year 1900, from January, 1900, to September, 1900, inclusive.

Also: Senate Bill No 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 206—An Act making an appropriation to pay the claim of A L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Read first time, and referred to Committee on Claims.

Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan corporations.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 218—An Act to amend Section 849 of the Code of Civil Procedure, relating to the service of summons issued from Justices' Courts, and by whom and how such summons may be served.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California.

Read first time, and referred to Committee on Claims.

Senate Bill No. 246—An Act to amend Section 638 of the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 268—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office as messenger and clerk therefor during the year 1900, from January, 1900, to September, 1900, inclusive.

Read first time, and referred to Committee on Claims.

Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 289—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "Foot of the Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Also. Senate Bill No. 292—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, for the sale of property in such actions, and for the making of deeds in such actions.

Also: Adopted Senate Joint Resolution No. 7—Resolution as to making upon the Island of Molokai a leper hospital for the care of all lepers within the United States.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 289—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "Foot of the

Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 292—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, for the sale of property in such actions, and for the making of deeds in such actions.

Read first time, and referred to Committee on Judiciary.

Senate Joint Resolution No. 7 read, and referred to Committee on Federal Relations.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 13—Relating to the restraint of interstate traffic in convict-made goods.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

MOTION.

Mr. Anderson of Solano moved that the Assembly do now consider Senate Joint Resolution No. 13.

So ordered.

Assembly Joint Resolution No. 12 withdrawn by author, it being identical with Senate Joint Resolution No. 13.

SENATE JOINT RESOLUTION No. 13.

Relating to the restraint of interstate traffic in convict-made goods

WHEREAS, The following bill is now before the Senate of the United States, having passed the House of Representatives on May 21, 1900, viz:

56th Congress, 1st Session. H. R. 5450.

In the Senate of the United States, May 23, 1900 Read twice, and referred to the Committee on Education and Labor

An Act to limit the effect of the regulation of interstate commerce between the several States in goods, wares, and merchandise wholly or in part manufactured by convict labor or in any prison or reformatory.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all goods, wares, and merchandise manufactured wholly or in part by convict labor or in any prison or reformatory, transported into any State or Territory or remaining therein for use, consumption, sale, or storage, shall, upon arrival in such State or Territory, be subject to the operation and effect of the laws of such State or Territory to the same extent and in the same manner as though such goods, wares, and merchandise had been manufactured in such State or Territory, and shall not be exempt therefrom by reason of being introduced in original packages, or otherwise.

Passed the House of Representatives May 21, 1900.

Attest: A. MCDOWELL, Clerk.

WHEREAS, Free labor and the manufacturing industries in the State of California suffer particularly from the large importation and sale of convict-made goods the product of other States; and

WHEREAS, This unjust and vicious competition can only be met by judicious legislation by our National Government, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we instruct our Senators and earnestly request our Representatives in Congress from this State to use every means in their power to secure the early passage and approval of the aforesaid bill, thereby enabling this State to furnish proper protection to its labor and manufacturing industries, and be it further

Resolved, That the Secretary of State is hereby instructed to forward certified copies of the foregoing resolutions to the Senators and Representatives from this State in the Fifty-sixth and Fifty-seventh Congress.

Senate Joint Resolution No. 13 read and adopted.

MOTION.

Mr. Stewart of Amador moved that Senate Bill No. 175 be substituted for Assembly Bill No. 268, they being identical bills.

So ordered.

Senate Bill No. 175—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Read second time.

Mr. Fisk moved that the Assembly do now resolve itself into Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 175.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Senate Bill No. 175 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 175—An Act appropriating money for the purchase of books for the use of the Preston School of Industry—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 268 withdrawn by author.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Stewart of Amador: Assembly Bill No. 643—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Anderson of Solano: Assembly Bill No. 644—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

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

Also: Assembly Bill No. 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation.

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

By Mr. Kelley: Assembly Bill No. 646—An Act to add a new section to the Political Code of the State of California, to be numbered Section 1120, relating to registrations.

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

By Mr. Duryea: Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, fixing the salaries of officers in counties of the twentieth class.

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

Also: Assembly Bill No 648—An Act entitled "An Act to add a new section to an Act entitled 'An Act to establish a Political Code,'" approved March 12, 1872, to be known and numbered Section 305, relating to trips by committees of the Legislature to public institutions, or other places, for purposes of investigation, and providing for their actual expenses on such trips.

Read first time, and referred to Committee on Judiciary.

By Mr. Henry: Assembly Bill No. 649—An Act to amend Section 703 of the Code of Civil Procedure of the State of California, relating to the redemption of property sold on execution.

Read first time, and referred to Committee on Judiciary.

By Mr. Myers: Assembly Bill No. 650—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 200 thereof, relating to county officers, their compensation and expenses, in counties of the forty-third class.

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

By Mr. Schlesinger: Assembly Bill No. 651—An Act to amend an Act entitled "An Act to provide for the issuing of bonds by the reclamation district, 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.

Read first time, and referred to Committee on Irrigation.

By Mr. Hasson: Assembly Bill No. 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

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

By Mr. Savage: Assembly Bill No. 653—An Act to repeal an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889.

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

Also: Assembly Bill No. 654—An Act authorizing the State Treasurer to appoint one additional clerk in his office in addition to the number now allowed by law, and fixing the compensation of said clerk.

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

By Mr. Stewart of Amador: Assembly Bill No. 655—An Act appropriating money for the payment of claims against the State arising in the counties of El Dorado and Amador, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Claims.

LEAVE OF ABSENCE.

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

REPORTS AND RESOLUTIONS.

By Mr. Radcliff:

ASSEMBLY CHAMBER, SACRAMENTO, February 5, 1901

MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State Hospitals in this State, having visited the Southern California State Hospital, situated in San Bernardino County, herewith present their bill of expenses of the trip, as follows:

Schillig	$121 60
Bennink	121 60
Webber	121 60
Dunlap	121 60
Radcliff	121 60
Macbeth	121 60
Henry	121 60
Guilfoyle	121 60
Miller	121 60
Cowan	121 60
Wright	121 60
Chambers	121 60
Total	$1,459 20

And we ask for the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of G G. Radcliff, acting chairman of the Committee on State Hospitals and Asylums, for the sum of $1,459.20, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

RADCLIFF, Acting Chairman.

Referred to Committee on Mileage.

By Mr. McWade:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: A delegation of your Committee on Public Buildings and Grounds beg leave to report that they have visited the State Normal School at Chico, Butte County, and that there is due to each of the following-named persons the sum set opposite their respective names, for mileage, viz:

John Butler	$19 20
J. J. Hourigan	19 20
D. F. McWade	19 20
W. M. John	19 20
Geo J McLoughlin	19 20
F M Rutherford (S. W. Irving, substitute)	19 20
L. F. Reeber	19 20
E. Skelly (clerk)	19 20
	$153 60

And we therefore recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of John J. Hourigan, acting chairman of said sub-committee of the Committee on Public Buildings and Grounds, for the sum of $153 60, and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

McWADE, Acting Chairman.

Referred to Committee on Mileage.

By Mr. Rutherford:

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR SPEAKER: A sub-committee from your Committee on Public Buildings and Grounds authorized to visit, among other State institutions, the Veterans' Home near Yountville, Napa County, having visited the same, and the committee having reported upon bills before it carrying appropriations (to investigate which said visit was made) find there is due the following named members of said sub-committee for expenses of the trip the sums set opposite their respective names—that is to say, mileage is so due

Foster	$14 00
Feliz	14 00
Knight	14 00
Total	$42 00

Wherefore, we recommend the adoption of the following resolution, to wit:

Resolved, That the State Controller be and he is hereby directed to draw his warrant

in favor of N. K. Foster, chairman of sub-committee of Assembly Committee on Public Buildings and Grounds, for the sum of $42.00, as per above statement, payable out of the fund for the payment of the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same out of said fund.

RUTHERFORD, Chairman.

Referred to Committee on Mileage.

MOTION.

Mr. Anderson of Solano moved to take up third-reading file.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 474 (Committee Substitute for Assembly Bill No. 206)—An Act to prevent fraud in the sale of Paris green as an insecticide.

Read third time, passed on file, and to retain its place on file.

At eleven o'clock and fifteen minutes A. M., Mr. Anderson of Solano was called to the chair.

MOTION.

Mr. Brown of San Mateo moved to take up second-reading file.

So ordered.

SECOND-READING FILE.

Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 127.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Committee Substitute for Senate Bill No. 127 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman.

Report adopted.

Committee Substitute for Senate Bill No. 127 ordered to third reading.

Senate Bill No 367—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read second time, and ordered to third reading.

Mr. Ralston moved that Senate Bill No. 240 be substituted for Assembly Bill No. 223, they being identical bills.

So ordered.

Assembly Bill No. 223 withdrawn by author.

Assembly Bill No. 223—An Act to regulate the catching of abalones within this State.

Refused second reading.

MOTION.

Mr. Feliz moved to reconsider the vote whereby Assembly Bill No. 223 was refused second reading.

Motion carried, and it was so ordered.

Assembly Bill No. 223 passed on file.

Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary, and to appropriate money therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 229.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 229 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary, and to appropriate money therefor—and do now report the same back, with one amendment, and recommend that the same do pass as amended.

A. ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court; to appoint a secretary, and to appropriate money therefor.

The following committee amendment was submitted:

In line nine, Section 1, printed bill, amend by striking out the word "four," and inserting in lieu thereof the word "two."

Amendment adopted.

Assembly Bill No. 229 ordered to print, engrossment, and third reading.

Assembly Bill No. 516 (Committee Substitute for Assembly Bill No. 129)—An Act to provide for the location, construction, and maintenance of a State highway from Mount Hamilton Observatory, in Santa

Clara County, to the San Joaquin River, in Stanislaus County, and making an appropriation therefor.

Read second time, and passed on file.

Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 281.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 281 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River—and do now report the same back, with amendments, and recommend that the same do pass as amended.

A. ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend on page two, as per printed bill, by striking out the words "An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River," and inserting in lieu thereof the following: "An Act to provide for the location and construction of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River, and placing the same under the management and control of the Department of Highways, and making an appropriation therefor."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Section 4, page three, as per printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out all of Section 5, page three, as per printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend Section 6, line one, page three, as per printed bill, by striking out the figure "6," and inserting in lieu thereof the figure "4."

Amendment adopted.

Assembly Bill No. 281 ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Kelley:

WHEREAS, The sub-committee appointed by the Committee on Ways and Means, and authorized to visit various State institutions, among which are the State Normal School at San Diego, State Normal School at Los Angeles, and the Highlands Hospital and Whittier Reform School, having visited said institutions and made their reports on the bills before the committee carrying appropriations for the needs of said institutions, herewith present their bill of expenses for said visit, to wit: mileage, as follows:

Kelley	$135 60
Anderson	135 60
Cowan	135 60

And your said committee ask the adoption of the following resolution:

Resolved, That the Controller be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly in favor of Alden Anderson, chairman of said sub-committee of the Committee on Ways and Means, for the sum of $406 80, as per foregoing statement, and that the Treasurer is hereby directed to pay the same out of said fund.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 563—An Act regulating and limiting the sale of convict-made articles—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

C. R. STEWART, Acting Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 126—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 525—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the Fortieth District—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

C. R. STEWART, Chairman.

Assembly Joint Resolution No. 2—Relative to Chinese immigration.

Resolution read.

Mr. Treadwell moved to amend as follows:

Amend by inserting after the word "Senators," in line two of Section 3, the words "are instructed."

Amendment adopted.

Assembly Joint Resolution No. 2 ordered to print.

MOTION.

Mr. Brown of San Mateo moved to pass on file Assembly Bills Nos. 466, 467, 468, and 469, to retain their places on file.

So ordered.

Assembly Bill No. 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893.

Read second time, ordered to print, engrossment, and third reading.

Assembly Bill No. 368—An Act making an appropriation to pay the

claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Read second time.

MOTION.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 368.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 368 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 368—An Act making an appropriation to pay the claim of O O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman

Report adopted.

Assembly Bill No. 368 ordered to print, engrossment, and third reading.

At twelve o'clock and fifteen minutes P. M , the Speaker resumed the chair.

SUSPENSION OF RULES.

Mr. Melick moved that the rules be suspended, and that Assembly Bill No. 4 be now considered.

So ordered.

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

Read third time.

Mr. Brown of San Mateo moved that a select committee of one be appointed with instructions to amend Assembly Bill No. 4 as follows:

Amend Section 1, Assembly Bill No. 4, as follows: Strike out all of line twenty-two after the word "find," and all of lines twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and twenty-eight of the printed bill.

So ordered.

Mr. Brown of San Mateo was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

H. W. BROWN, Committee.

Report and amendment adopted.

At twelve o'clock and thirty minutes P. M., pending discussion of Assembly Bill No. 4, the Speaker announced the hour of adjournment, and declared a recess till two o'clock P. M.

REASSEMBLED.

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

Speaker Pendleton in the chair.

Quorum present.

The question being on the adoption of the report of select committee of one, relative to amending Assembly Bill No. 4.

Roll call was demanded by Messrs. Knight, Bauer, and Levinson.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Berry, Brown of San Mateo, Butler, Collins, Cowan, Dunlap, Duryea, Feliz, Gans, Guilfoyle, Haley, Hanen, Hubbard, Irish, James, Mattos, McLoughlin, McNeil, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Simpson, and Williams—31.

NOES—Messrs. Bauer, Bennink, Broughton, Carter, Chandler, Cromwell, Fisk, Higby, John, Knight, Levinson, Macbeth, McWade, Merritt, Radcliff, Reeber, Sheridan, Stewart of San Diego, Sutro, Walker, and Mr. Speaker—21.

Mr. Brown of San Mateo moved that a select committee of one be appointed with instructions to amend Assembly Bill No. 4 as follows:

Amend Section 1, Assembly Bill No. 4, as follows: Strike out the word "such," in line twenty-nine, and insert the word "said"

So ordered.

Mr. Brown of San Mateo was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands—with instructions to amend, now reports that the instructions of the Assembly have been carried out

H. W. BROWN, Committee.

Report and amendment adopted.

Assembly Bill No 4 made special order for Friday morning after reading of Journal.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Assembly Bill No. 452—Relating to fruit and vine interests—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McNEIL, Chairman.

RESOLUTION—(CASE OF URGENCY).

By Mr. Fisk:

Resolved, That Assembly Bill No. 656 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Irish, James, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray,

Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Williams, and Mr Speaker—56
NOES—None.

Assembly Bill No. 656—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session.

Read first time, and ordered to second reading.

Assembly Bill No. 656—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session.

Read second time, and ordered considered engrossed.

MOTION.

Mr. Fisk 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. 656.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 656 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No. 656—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session—and do now report the same back, and recommend that it do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 656—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Henry, Irish, James, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Myers, Radcliff, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Williams, and Mr. Speaker—53
NOES—None.

Title read and approved.

Assembly Bill No. 474 (Committee Substitute for Assembly Bill No. 206)—An Act to prevent fraud in the sale of Paris green as an insecticide.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Gans, Haley, Hanen, Henry, Hubbard, Irish, James, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Milice, Myers, Radcliff, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, and Mr. Speaker—48.
NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing actual expenses for the Committee on Public Buildings and Grounds, beg leave to report as follows:

WHEREAS, A delegation of your Committee on Public Buildings and Grounds beg leave to report that they have visited the State Normal School at Chico, Butte County, and that there is due to each of the following-named persons the sum set opposite their respective names for mileage, viz:

John J. Hourigan	$19 20
John Butler	19 20
D. F. McWade	19 20
W. M. John	19 20
Geo. J. McLoughlin	19 20
S. W. Irving (for F. M. Rutherford)	19 20
L. F. Reeber	19 20
E Skelly (clerk)	19 20
Total	$153 60

And we therefore recommend the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of John J. Hourigan, acting chairman of said sub-committee of the Committee on Public Buildings and Grounds, for the sum of $153.60, and the State Treasurer is hereby directed to pay the same out of the appropriation for the contingent expenses of the Assembly.

Also: Assembly resolution allowing actual expenses for the Committee on State Hospitals and Asylums—beg leave to report as follows:

WHEREAS, Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals in this State, having visited the Southern California State Hospital, situated in San Bernardino County, herewith present their bill of expenses of the trip as follows:

Schillig	$121 60
Bennink	121 60
Webber	121 60
Dunlap	121 60
Radcliff	121 60
Macbeth	121 60
Henry	121 60
Guilfoyle	121 60
Miller	121 60
Cowan	121 60
Wright	121 60
Chambers	121 60
Total	$1,459 20

And we ask for the adoption of the following resolution:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of G. G. Radcliff, acting chairman of the Committee on State Hospitals and Asylums, for the sum of $1,459.20, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Also: Assembly resolution allowing actual expenses for the sub-committee of the Committee on Public Buildings and Grounds—beg leave to report as follows:

WHEREAS, A sub-committee from your Committee on Public Buildings and Grounds, authorized to visit, among other State institutions, the Veterans' Home, near Yountville, Napa County, having visited the same, and the committee having reported upon bills before it carrying appropriations, to investigate which said visit was made, find there is due the following-named members of said sub-committee for expenses of their trip the sums set opposite their names—that is to say, mileage is so due.

Foster	$14 00
Feliz	14 00
Knight	14 00
Total	$42 00

Wherefore, we recommend the adoption of the following resolution, to wit:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of N. K. Foster, chairman of the sub-committee of Assembly Committee on Public Buildings and Grounds, for the sum of $42, as per above statement, payable out of the fund for the payment of the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same out of said fund

Also: Assembly resolution allowing actual expenses to the sub-committee on Ways and Means—beg leave to report as follows:

WHEREAS, The sub-committee appointed by the Committee on Ways and Means, and authorized to visit various State institutions, among which are the State Normal School at San Diego, State Normal School at Los Angeles, the Highlands Hospital, and the Whittier Reform School, having visited said institutions, and are ready to make their reports on the bills before the committee carrying appropriations for the needs of said institutions, and herewith present their bill of expenses for said visit, to wit, mileage as follows:

A. Anderson	$135 60
Kelley	135 60
Cowan	135 60
Total	$406 80

And your said committee ask the adoption of the following resolution:

Resolved, That the Controller be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly in favor of Alden Anderson, chairman of sub-committee of the Committee on Ways and Means, for the sum of $406 80, as per foregoing statement, and that the Treasurer is hereby directed to pay the same out of said fund.

IRISH, Acting Chairman.

Reports and resolutions adopted.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 66—An Act to amend Section 1261 of the Political Code, relating to election returns—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

MACBETH, Chairman

MOTION.

Mr. Kelley moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Assembly Joint Resolution No. 6—Relative to Government forest reserves.

Also: Assembly Joint Resolution No. 10—Relative to passage of the Grout Bill, now pending in the United States Senate.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Assembly Joint Resolution No. 6—Relative to Government forest reserves.

The Assembly concurred in the following Senate amendment:

Amend by inserting the following at the end of said resolution, as printed:

Resolved, That the Clerk of the Assembly be and he is hereby instructed to mail a copy of this resolution, duly engrossed, to each of our Senators and Representatives in Congress.

Assembly Joint Resolution No. 6 ordered to reprint and reëngrossment.

Assembly Joint Resolution No. 10—Relative to passage of the Grout Bill, now pending in the United States Senate.

The Assembly concurred in the following Senate amendments:

Amend by adding the word "jointly" after the word "California," in line nine, original bill.

Assembly Joint Resolution No. 10 ordered to reprint and reëngrossment.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as amended by the Senate, Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock, dogs, and animals, except for medicinal purposes,

making the same a felony, and providing for the punishment thereof—and respectfully ask the concurrence of your honorable body in said Senate amendment.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock, dogs, and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

The following Senate amendment was submitted:

Amend by striking out the word "the" from the enacting clause, before the word "Senate."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Dunlap, Guilfoyle, Haley, Hanen, Henry, Higby, Irish, James, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Miller, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Walker, Williams, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 14 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read first time, and referred to Committee on Irrigation.

Also:

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Also: Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

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

Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

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

At three o'clock and ten minutes P. M., the Speaker called Mr. Anderson of Solano to the chair.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 165—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out from the word "who," in line seven of the printed bill, to and including the word "who," in line eight of the printed bill, and insert in lieu thereof the words "unlawfully or."

Amendment adopted.

AMENDMENT No 2.

After the word "line," in line ten of the printed bill, insert the word "lawfully."

Amendment adopted.

AMENDMENT No. 3.

Strike out from and including the word "punishable," in line fourteen of the printed bill, to and including the word "months," in line sixteen of the printed bill, and insert in lieu thereof the words "guilty of a misdemeanor."

Amendment adopted.

Assembly Bill No. 165 ordered to print, engrossment, and third reading.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of, attorneys and counselors-at-law in the courts of this State, and to add new sections to said Act, to be numbered, respectively, 275*a*, 275*b*, 275*c*, and 275*d*, relating to the same subject.

Read second time.

The following committee amendments were submitted:

AMENDMENT No 1.

"An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the admission to practice, and the practice of, attorneys and counselors-at-law in the courts of this State.

"*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

"SECTION 1. Section 275 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 275. Any citizen of the United States who has been a *bona fide* resident of this State for one year next preceding the day of the application or motion for admission, as provided in this chapter, of the age of twenty-one years, of good moral character, and who possesses the necessary qualifications of learning and ability, and has complied with the requirements of this chapter, is entitled to admission as an attorney and counselor-at-law in all the courts of this State, regardless of sex. All persons are attorneys and counselors of the Supreme Court of this State who were, on the 1st day of January, 1901, entitled to practice in that court; *provided, however*, that if any such person was not at said date a citizen of the United States, his right to practice in the courts of this State shall cease upon the expiration of six months from said date, if then entitled to become a citizen, or, if not then so entitled under the laws of the United States, upon the expiration of six months from the day he is entitled to become a citizen as aforesaid, unless within said time he shall become a citizen.

"No citizen shall be admitted to practice as an attorney and counselor-at-law in the courts of this State except by the Supreme Court, and then only upon motion therein, the applicant being personally present in open court No citizen, or other person, shall be entitled to make application for admission, or be admitted to practice, except as in this chapter provided.

"SEC. 2. Section 276 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 276. To entitle a citizen to make an application for admission, and to be admitted to practice, as an attorney and counselor-at-law in the courts of this State, he

or she must have complied with the following, in addition to the other, requirements of this chapter:

"1. Such person must produce and file, with his or her written application, satisfactory testimonials of good moral character from at least two attorneys and counselors of the Supreme Court of this State who have practiced at the bar of said court for at least five years preceding the day of making the application; must have studiously pursued the course of study required by this chapter for at least —— months in each year of a term of two years preceding the day of the application for admission to practice, must make and file his or her affidavit stating the time he or she has studied, giving the dates, the place or places, and the course of study pursued, and must satisfactorily pass the required examination required by this chapter

"2. Such person must have been duly and regularly admitted to practice law in the highest court of a sister State, or of a foreign country, where the Common Law of England constitutes the basis of jurisprudence, must produce his or her license or certificate of admission and satisfactory evidence of good moral character as above provided, and must also produce and file, with his or her written application for admission, the affidavit or certificate of a judge or judges of the court or courts of record of such State or country, under the seal of such court or courts, affirming or certifying that the applicant for a term of at least two years next preceding the day of application for admission to practice in the courts of this State, had actually been engaged in the practice of the law as an attorney and counselor in all the courts of such State or country, giving the dates and the place or places of practice, and that his license is in full and unrevoked; such applicant must, also, if required, satisfactorily pass the required examination. Every citizen admitted upon motion under the provisions of this subdivision shall pay a fee of twenty-five dollars, which shall, or may, be used under the direction of the Supreme Court, in the payment of the expenses of holding and conducting examinations and the compensation of the Board of Examiners, as in this chapter provided with reference to other fees

"SEC. 3. Section 277 of said Code of Civil Procedure is hereby amended as follows:

"Section 277. A State Board of Examiners is hereby created to consist of three members, one of whom shall be the Dean of the Hastings College of Law, and the other two shall be attorneys and counselors of the Supreme Court of this State, learned in the law, and of at least five years' standing at the bar of this State, one of whom shall be a resident of the Los Angeles District, and the other a resident of the Sacramento District, as said districts are now established, and both of whom shall be appointed by and hold office at the pleasure of the Supreme Court. If the Dean of the Hastings College of Law shall fail, refuse, or neglect to act, the Supreme Court shall appoint another attorney and counselor of the Supreme Court who is a resident of the San Francisco District, as above provided, to act in his place

"The compensation of said Board of Examiners shall be fixed by the Supreme Court for each examination, and shall be paid, upon the order of the Chief Justice of said court, from the fees of applicants hereinafter provided for, but the aggregate amount of such compensation and the expenses of holding and conducting each examination shall not exceed the total of such fees. Every applicant for examination shall pay a fee of fifteen dollars The payment of one examination fee shall entitle the applicant to the privilege of three examinations

"The Board of Examiners shall hold one examination in the City of San Francisco, one in the City of Sacramento, and one in the City of Los Angeles, in each year after the taking effect of this Act, and at such time during such year as the Supreme Court shall determine. No other examinations shall be held. To entitle any applicant to take the examination in any district, it must be made to satisfactorily appear to the members of the Board of Examiners that, for six months next preceding the day of the examination, he was a *bona fide* resident of such district. Any fraudulent act or representation by the applicant in connection with his application for admission shall be sufficient cause for the revocation of his or her license by the Supreme Court.

"It shall be the duty of the Board of Examiners personally to conduct and hold the written and oral examination of applicants for admission; to make all needful rules and regulations to govern the same; to prepare and have printed written questions for the written examinations, and to propound the oral questions upon the oral examinations hereinafter provided for; and to require every applicant to furnish satisfactory proof of his or her good moral character.

"SEC. 4. Section 278 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 278. The examinations herein provided for shall be based upon the following books and subjects: 'Pomeroy's Introduction to Municipal Law,' 'Walker's American Law,' 'Blackstone's Commentaries,' 'Kent's Commentaries,' 'Parsons on Contracts,' 'Clark on Contracts,' 'Norton on Bills and Notes,' 'George on Partnership,' 'Jaggard on Torts,' 'Greenleaf's Evidence' (Volume 1), 'Sedgwick's Elements of Damages,' 'Gould's Pleadings,' 'Bliss on Code Pleading,' 'Lube's Equity Pleading,' 'Fetter on Equity,' 'Darlington on Personal Property,' 'Tiedeman on Real Property,' 'Clark on Corporations,' 'Potter's Dwarris on Statutes and Constitutions,' 'Cooley's Principles of Constitutional Law,' 'Constitution of the United States,' 'Constitution of the State of California,' 'Code of Civil Procedure,' 'Civil Code,' 'May's Criminal Law,' 'Penal Code,' 'Sandar's Justinian by Hammond,' 'Legal Ethics and Civics.'

"The Board of Examiners may enlarge the subjects of examination, or substitute books by other authors on the same subjects, upon giving reasonable notice thereof.

"All examinations shall be publicly held and conducted, and shall be based upon both written and oral questions The written questions shall cover all of the general subjects in the prescribed course of study, and be sufficient in number upon each subject to furnish a strict test of the applicant's attainments in the law. The Board of Examiners shall carefully examine all of the answers of each applicant to the written questions, and shall carefully note the answers of each applicant to the oral questions, and shall make and file, with the Clerk of the Supreme Court, a written report thereon, giving the standing of each applicant, both upon the written and upon the oral examination, and therewith shall make their written recommendation to the Supreme Court as to which of the applicants are entitled to be admitted to practice and as to which of them are not, and file the same with the Clerk of the Supreme Court. The written answers of each applicant shall also be filed with the Clerk of the Supreme Court

"SEC 5 Section 279 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 279. At any time after the examination and upon or after the filing of the written report and answers and recommendation as provided in Section 278, and upon or after the filing of the application for admission and the certificate and testimonials, as provided in subdivision two of Section 276, the Supreme Court may, upon motion, in open court, based upon such examination, report, and recommendation, or upon such application, certificates, and testimonials, admit such applicant as an attorney and counselor-at-law in all the courts of this State, provided he or she is entitled to be admitted under the provisions of this chapter, and, if admitted, shall direct an order to be entered to that effect upon its records, and that a certificate of such record be given to the applicant by the Clerk of the Supreme Court, which certificate shall be his or her license.

"SEC. 6 Section 280 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 280. Every person on his admission must take an oath to support the Constitution of the United States and the Constitution of the State of California, and to discharge faithfully the duties of an attorney and counselor-at-law to the best of his knowledge and ability. A certificate of such oath must be indorsed upon the license

"The Clerk of the Supreme Court shall keep a roll of attorneys and counselors admitted to practice by the court of which he is clerk, which roll shall be signed by the person admitted before he shall be entitled to receive his or her license

"SEC 7 Section 281 of said Code of Civil Procedure is hereby amended to read as follows:

"Section 281. If any person shall practice law in any court of this State, except a Justice's or a Police Court, or shall advertise or hold himself out as practicing, or entitled to practice law, without being entitled so to practice law under the provisions of this chapter, he shall be guilty of a contempt of the court in which he shall so practice, or respecting which he shall advertise or hold himself out as practicing, or entitled to practice, and may be prosecuted for such contempt by such court as in other cases

"SEC. 8. All those provisions of this Act with reference to the admission of applicants upon examination by the Board of Examiners, shall take effect on the 1st day of July, 1901, and all the other provisions of this Act shall take effect immediately; *provided, however*, that any citizen and resident of this State who, prior to the 16th day March, 1895, was regularly admitted to practice in any Superior Court of this State, pursuant to the law, and who, since his admission, as aforesaid, has been continuously engaged in the practice of the law in this State, and whose license is in full force and unrevoked, of good moral character, may, upon making proof of such facts by affidavit and testimonials, be admitted, by the Supreme Court, to practice in all the courts of this State, upon examination by the Supreme Court, or by a department thereof, or upon motion if, in the judgment of the members of that court, such examination be unnecessary."

Amendment adopted.

AMENDMENT NO. 2

Amend the title by striking out the entire title and inserting in lieu thereof the following: "An Act to amend Sections 275, 276, 277, 278, 279, 280 and 281 of an Act entitled 'An Act to establish a Code of Civil Procedure,' approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State."

Amendment adopted.

Mr. James moved to amend as follows:

Amend by adding to typewritten amended Assembly Bill No. 111 a new section, to be numbered "9," as follows:

"SEC 9. The provisions of this Act respecting citizenship shall not apply to persons who have declared their intention to become citizens under the laws of the United States and who are *bona fide* resident Consular officers of a foreign country, and who are now entitled to practice in the Supreme Court of this State."

Amendment adopted.

Assembly Bill No. 111 ordered to print, engrossment, and third reading.

Assembly Bill No. 386—An Act to amend Sections 296 and 297 of the Civil Code of California, and adding a new section to the said Civil Code, to be known and numbered as Section 296*a*, prescribing the duties of the Secretary of State relative to filing articles of incorporation, and to prevent duplicating names.

Read second time.

Pending consideration of amendments, Mr. Carter moved that Assembly Bill No. 386 be passed, and to retain its place on file.

So ordered.

Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 274—An Act to repeal Section 2652 of the Political Code, relating to road taxes.

Read second time.

MOTION.

Mr. Johnson moved that Assembly Bill No. 274 be re-referred to Committee on Judiciary.

So ordered.

At three o'clock and thirty minutes P. M., Speaker Pendleton resumed the chair.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Higby: Assembly Bill No. 657—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the service of a warrant of arrest.

Read first time, and referred to Committee on Judiciary.

By Mr. James: Assembly Bill No. 658—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 659—An Act to add a new section to the Penal Code, to be numbered Section ——, relating to the issuance and sale of tickets of admission to theatrical or other public performances, concerts, or entertainments.

Read first time, and referred to Committee on Judiciary.

By Mr. Sutro: Assembly Bill No. 660—An Act to add a new section to the Political Code of the State of California, to be known as Section 4086½, providing for Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of same.

Read first time, and referred to Committee on Judiciary.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 493—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "Foot of the Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Read second time.

The following committee amendment was submitted:

Amend Section 1, line six, by inserting after the word "highway" the following: "and is placed under the care and control of the Department of Highways, which shall take all necessary steps for its improvement and maintenance."

Amendment adopted.

Assembly Bill No. 493 ordered to print, engrossment, and third reading.

Assembly Bill No. 499—An Act to amend an Act entitled "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," approved March 31, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

In Section 1, lines eleven and twelve, after the word "wherever," strike out the words "unless otherwise provided for in the County Government Act"

Amendment adopted.

AMENDMENT No 2.

In line fourteen, strike out the word "resident"

Amendment adopted.

AMENDMENT No. 3.

In line twenty, strike out the word "scale."

Amendment adopted.

AMENDMENT No 4.

In line twenty-three, after the word "members," insert the words "unless otherwise provided for by the law regulating such county"

Amendment adopted.

Assembly Bill No. 497 ordered to print, engrossment, and third reading.

Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 160.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 160 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 160 ordered to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 596—An Act to determine and declare the true boundary line between the counties of Trinity and Mendocino, in the State of California, and determining the map and field notes of the survey of S. H. Rice, as approved by the Surveyor-General, to be correct—have had the same under consideration, and respectfully report the same back without recommendation.

CROMWELL, Chairman.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 415—An Act to amend Section 3790 of the Political Code of the State of California.

Read second time.

Mr. McWade moved to amend by striking out the enacting clause.

Amendment adopted.

Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 34—An Act to amend Section 849 of the Code of Civil Procedure, relating to service of summons in Justice Court actions.

Read second time.

The following committee amendment was submitted:

After the enacting clause, insert as follows: "SECTION 1. Section 849 of the Code of Civil Procedure is hereby amended so as to read as follows: Section 849."

Amendment adopted.

Assembly Bill No. 34 ordered to print, engrossment, and third reading.

Assembly Bill No. 33—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto a new section, to be known as Section 2022, authorizing the taking of a deposition where the adverse party has not appeared, and providing the proceeding.

Read second time.

The following committee amendment was submitted:

Strike out all of lines one, two, three, and four of the printed bill, and insert in lieu thereof the following: "SECTION 1. A new section is hereby added to the Code of Civil Procedure, to be known as Section 2022, and to read as follows.'

Amendment adopted.

Assembly Bill No. 33 ordered to print, engrossment, and third reading.

Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 26—An Act to add a new section to the Penal Code, to be known as Section 539, and relating to persons violating their contracts with liverymen.

Mr. Sheridan moved that Assembly Bill No. 26 be denied second reading.

Mr. James moved as a substitute motion that Assembly Bill No. 26 be passed, and to retain place on file.

So ordered.

Assembly Bill No. 448—An Act to amend Sections 1240 and 1241 of an Act entitled "An Act to establish a Code of Civil Procedure."

Read second time, ordered to engrossment and third reading

Assembly Bill No. 331—An Act to amend Section 374 of an Act entitled "An Act to establish a Penal Code."

Read second time.

The following committee amendment was submitted:

Strike out all after the enacting clause and insert as follows:

"SECTION 1 Section three hundred and seventy-four of the Penal Code, as amended by an Act entitled 'An Act to amend section three hundred and seventy-four of the Penal Code, relating to the public health,' approved March 2, 1893, is hereby amended to read as follows:

"Section 374. Every person who puts the carcass of any dead animal, or fowl, or who places, or causes to be placed, any offal, or decayed or refuse animal or vegetable matter into any river, creek, pond, lake, spring, or stream, or upon any street, alley, public highway, or road in common use, or who attempts to destroy such carcass of any dead animal, or the offal from any slaughter pen, corral, or butcher shop by fire within one fourth of a mile of any city, town, or village, except it be in a crematory, the construction and operation of which has been approved by the Board of Health in such city, town, or village, and any person who puts, or causes, or directs to be put any water-closet, privy, or urinal, or the carcass of any dead animal, or fowl, or any refuse matter, or offal of any kind in or upon the borders of any stream, pond, lake, spring, or reservoir from which water is drawn for the supply of the inhabitants of any city, city and county, or any town in this State, or into or on the borders of any creek, or river bed connecting with such pond, lake, spring, or reservoir, in such manner that the drainage from such water-closet, privy or urinal, carcass, refuse matter, or offal might be taken up by, or be washed into, such stream, pond, lake, spring, or reservoir; or who permits any such water-closet, privy, urinal, carcass, refuse matter, or offal to remain in or upon the borders of any such stream, pond, lake, spring, or reservoir within the boundaries of any land owned or occupied by him, so that the drainage from such water-closet, privy, urinal, carcass, refuse matter, or offal might be taken up by or in such stream, pond, lake, spring, or reservoir; or who keeps any horses, mules, cattle, sheep, swine, poultry, or livestock of any kind penned or corraled, or housed on, over, or on the borders of any such stream, pond, lake, spring, or reservoir, so that the waters thereof might become polluted thereby; or who bathes in any stream within one mile without the ordinary limits of such city, town, or village, or bathes in any such pond, lake, spring, or reservoir; or who, by any other means whatsoever, fouls or pollutes, or does or directs any act that might result in fouling or polluting the waters of any such stream, pond, lake, spring, or reservoir, is guilty of a misdemeanor, and, upon conviction thereof, shall be punished as prescribed in section three hundred and seventy-seven of this code.

"SEC. 2. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 331 ordered to print, engrossment, and third reading.

Assembly Bill No. 393—An Act to amend Section 620 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872.

Read second time.

Mr. Brown of San Mateo moved to amend the title as follows:

Amend by striking out of line two thereof the word "Section," and inserting the word "Sections" in lieu thereof.

Also: By inserting after the figures "612," in line two of the title, the following: "and 616.'

Amendment adopted.

Assembly Bill No. 393 ordered to print, engrossment, and third reading.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of coöperative associations," approved March 27, 1895.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 404—An Act defining investment companies, and regulating and governing corporations, companies, associations, and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment, by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 484—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 485—An Act to amend Section 305 of the Civil Code, relating to corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 586 (Committee Substitute for Assembly Bill No 242)—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 second time, ordered to engrossment and third reading.

Assembly Bill No. 277—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 17, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing, and modifying and reapportionment, and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments thereunder, and remonstrances against such assessments and reassessments, and against the improvements under said Act.

Read second time.

The following committee amendment was submitted:

Strike out all of said bill after the enacting clause, to wit: lines one to two hundred and forty-eight, both inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. The Act of the Legislature 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, is hereby amended by adding thereto a new section, to be known as Section 3½, which said new section is hereby added to said Act, and shall read as follows:

"Section 3½. *Subdivision 1.*—If, upon the hearing of any petition of remonstrance, filed by a party feeling aggrieved, as provided in Section 3 of this Act, it shall appear

that the contemplated work and improvement is of more than local or ordinary public benefit, as to any part of the property to be assessed therefor, or that such property or any portion thereof would, under the proposed assessment (if an assessment district had not been declared in the notice of intention as provided in Section 3 of this Act) be assessed for a sum larger than the amount of the benefits local thereto which would be conferred upon said portion of said property by the completion of the contemplated work and improvement, then, unless the City Council shall abandon the proceedings for said contemplated work and improvement, said City Council shall order that the assessment upon said portion of said property for such contemplated work and improvement be reduced to the amount which said City Council shall determine to be the amount of the local or ordinary public benefit to be conferred upon such portion of said property by the completion of such contemplated work and improvement, and the balance of the amount for which said property would have been assessed, if no petition of remonstrance had been filed as aforesaid, the said City Council may order to be paid out of the municipal treasury, or may provide for and direct the payment of the same to be made when due, in any manner or method within its power and authority.

"*Subdivision 2*.—All property liable to be assessed, or affected by the assessment, to pay for the contemplated work and improvement, shall be presumed to be locally benefited by the said work and improvement to an amount equal to the amount for which, under the said proceedings, it is liable to be assessed to pay therefor. The City Council shall adopt and shall be presumed to have adopted that mode or method or manner of assessment which shall most justly and equitably distribute the assessment to be made upon the various properties to be assessed according to and in proportion to, and in an amount not exceeding, the benefits conferred upon such property by said contemplated work and improvement. The City Council shall include and shall be presumed to have included in the proposed plan or scheme and district of assessment adopted by it for the contemplated work and improvement all and only such property as will be specially benefited thereby to an extent warranting any special assessment therefor. If in the opinion of the City Council at the time it adopts, for any work of only local or ordinary public benefit, the notice of intention of such contemplated work and improvement, the district and plan or scheme of assessment on property abutting upon the contemplated work and improvement and upon property abutting or facing upon adjoining or adjacent streets, alleys, lanes, places, or courts, as provided in Section 7 of this Act, where no assessment district has been declared and described by boundaries in the notice of intention, will not most justly and equitably and properly (under the circumstances of the particular work and improvement) distribute the amount to be assessed on all the property and only such property as will be specially benefited by the said work and improvement according and in proportion to and not exceeding the benefits received by such property from such work and improvement, then the said City Council shall, in its notice of intention, declare an assessment district, and shall proceed as provided in Section 3 of this Act, 'whenever the contemplated work and improvement in the opinion of the said City Council is of more than local or ordinary public benefit.' All persons not filing a petition of remonstrance as provided in Section 3 hereof, complaining of the manner or method of apportionment of the proposed assessment, or the property to be included therein, shall be deemed to have acquiesced in the manner or method thereof and in the property to be included therein; and the amount of such proposed assessment (where no assessment district has been declared in the notice of intention as provided in this section or Section 3 of this Act) shall be deemed to be acquiesced in by all persons not filing such a petition of remonstrance complaining of such amount.

"*Subdivision 3*.—Nothing in this section shall be construed to prevent or interfere with any right of the said City Council to abandon any proceedings for such work and improvement, or with any right of said City Council after such abandonment to start new proceedings therefor, nor prevent or interfere with the right of said City Council to amend, set aside, alter, modify or correct the assessment or any part of it in such manner as shall seem to said City Council just, or with any right provided in Section 11 of this Act, nor to prevent or interfere with the right of the City Council, which right is also hereby given to it, at any time, whether before or after the completion of said work and improvement, in its discretion, to order that the whole or any portion of the cost and expenses of the work or of any part thereof be paid out of the municipal treasury, nor to prevent, or interfere with the duty of the Superintendent of Streets to levy the assessment in conformity to the direction and decision of the City Council, as provided in Section 8 of this Act, nor to prevent or interfere with the duty and right of the Superintendent of Streets (which duty is hereby also imposed upon, and which right is also hereby given to him) to deduct from the assessment for the whole work or any part thereof, of which a portion or the whole of the cost the City Council may have ordered to be paid from the municipal treasury an amount equal to that portion of the cost thereof which the City Council may have ordered to be paid out of the treasury of the municipality. Nothing in this section shall be construed to enable or entitle any new assessment to be issued for or in lieu of any assessment issued under the provisions of this Act heretofore declared invalid or void, in whole or in part, by any final decree of a court of competent jurisdiction, and no such new assessment shall be issued for any such assessment so heretofore declared invalid or void, in whole or in part, excepting as provided in this Act previous to the adding of this section thereto.

"*Subdivision 4*.—In case said City Council shall order any amounts to be paid from the municipal treasury, as hereinbefore provided, the assessment when issued, if issued subsequent to said order, shall state the same, and the same shall be due and payable

by the City Treasurer in the same manner as the balance of the assessment and the said City Treasurer shall so pay the same; for any amounts paid from the municipal treasury as in this Act provided, the said City Council may, at the time of the next, or the one succeeding the next, annual assessment for municipal purposes, levy and issue, or order the Street Superintendent to levy and issue, a new assessment, warrant, and diagram to the City Treasurer, which shall otherwise, as far as possible, be in the form in this Act provided for original assessments to contractors, and which shall be recorded and be a lien, as in the case of such original assessments, for the period of two years from the date of the record thereof and be enforceable by the said City Treasurer in the same manner as in this Act provided for the enforcement of such original assessments, and said City Council may apportion and levy or order the Street Superintendent to apportion and levy said new assessment upon all the property benefited by the said work and improvement to the amount and in such proportion as said City Council shall, after thirty (30) days' notice by publication once a week in a newspaper published in said city, declare the said property to have been benefited by the said work and improvement, or the said City Council may order that the said municipal treasury be reimbursed for any amounts paid therefrom as above provided in any other manner or by any other method within its power and authority. In no case shall the total of all taxes which may be assessed against any part of such property to pay for said work and improvement exceed such amount as said City Council shall decide to have been the amount of the special benefits conferred on said property by said work and improvement

"*Subdivision 5.*—In case the whole or any part of any assessment or of any warrant or bond or evidence thereof issued to represent the same, whether or not the same be an original assessment or warrant or bond or other evidence thereof levied or issued under the provisions of this Act, may hereafter be declared in whole or in part invalid or void for any cause, whether jurisdictional or otherwise, by any final decision of any court of competent jurisdiction, the Superintendent of Streets or the City Council shall proceed to levy and issue, or the said City Council shall order the said Superintendent of Streets to levy and issue a new assessment warrant and diagram, including accrued interest, as provided in Section 9 of this Act, on application made as in said Section 9 stated, to the contractor, or his assigns, or successors, or the owner of such assessment or any part thereof, or of any warrant or bond or other evidence issued to represent the same. Every new assessment, warrant, and diagram issued under the provisions of this section or Section 9 of this Act, shall be, as far as possible, in the form in this Act provided for original assessments to contractors, and shall conform to the orders of the Council, if the Council make any orders relating thereto, and shall be recorded and be a lien, as in the case of such original assessments, for the period of two years from the date of the record thereof, and may be enforced in the same manner as in this Act provided for the enforcement of such original assessments The said City Council is hereby given power and authority to levy and issue or order the Superintendent of Streets to levy and issue such new entire or partial assessment, warrant, and diagram for such part of the former assessment or warrant or bond or other evidence issued to represent the same, so declared void or invalid, for the amount thereof, including interest, either on the same basis and method and manner of apportionment and upon the same property as in the said assessment, or part thereof, or warrant, or bond, or any other evidence issued to represent the same, so declared invalid and void as aforesaid, or upon any other, or altered, or changed, or different, or modified, or augmented basis, method, or manner, and upon any and all other property benefited by the said work and improvement as shall be necessary to conform to law and the decision of the Court, or as shall seem to said City Council just and best calculated to properly and equitably distribute, and assess, and apportion, the amount to be assessed for the cost of said work and improvement upon the various portions of the said property in proportion to the amount of the benefits received by such portions of said property from the said work and improvement, and in conformity to law From any new assessment levied under the provisions of this Act an appeal to the City Council may be taken as provided in Section 11 of this Act and by the same persons, and in the same manner, and upon the same grounds as therein stated, excepting the ground that the work has not been performed in a good and substantila manner, where such work has once been finally accepted, but including the ground that the said property, or any portion thereof, is assessed for the said work and improvement to an amount or to a proportion larger than the amount of the benefits accruing to such portion of said property therefrom. The powers and authorities of the City Council upon such appeal shall be as stated in Section 11 of this Act, excepting the power and authority to require the work to be completed according to the direction of the said City Council, where said work has once been finally accepted All the provisions of said Section 11 relative to appeals from the original assessment shall so far as possible apply to appeals from new assessments levied as in this Act mentioned and provided

"*Subdivision 6.*—Whenever any property is included in any new assessment (whether the same be ordered or issued or levied upon appeal or in lieu of any assessment or part thereof or of any warrant or bond or other evidence thereof issued to represent the same declared void or invalid as aforesaid) that was not included in the original assessment or the assessment on any property that was included in the original assessment is increased by such new assessment, then the said City Council shall cause notice of the including of such new property or of such increase of assessment to be published once a week for thirty (30) days in some newspaper published in the said city, and all persons interested in the said property so newly included or on which the assessment is so

increased shall have sixty (60) days from the levying of such new assessment instead of thirty (30) days to appeal as provided in subdivision five of this section and in Section 11 of this Act, but in no case shall any appeal be taken on the ground that the work has not been performed in a good and substantial manner, excepting within thirty (30) days after the levying and issuance of the first assessment therefor by the Superintendent of Streets, and in every case unless such appeal taken on such ground within said thirty (30) days be sustained by the City Council the acceptance of said work shall be final.

"*Subdivision 7.*—In no case where any assessment once levied and made upon any property for any work and improvement or part thereof has been finally and properly settled and paid in accordance therewith and as provided by law, shall an increased or additional levy be made thereon for the same work and improvement or for the same part thereof, and should the said City Council or the said Superintendent of Streets in levying a new assessment, decide that an additional or increased assessment ought to be levied and paid upon any such property, upon which one such assessment has been so settled and paid, in proportion to the benefits received by it from the said work and improvement, then the said city may in its discretion provide for such additional or increased assessment and the said City Council may provide for the payment thereof as provided in subdivision one of this section, and may order the municipal treasury to be reimbursed as provided in subdivision four of this section. The new assessment roll shall show that such former assessment on such property for the same work and improvement or part thereof has been paid, and in no such case shall a new or additional assessment or lien be collected or enforced therefor on said property

"SEC. 2 This Act shall take effect and be in force from and after its passage, and all Acts or parts of Acts in conflict with this Act are hereby repealed."

Amendment adopted.

Assembly Bill No. 277 ordered to print, engrossment, and third reading.

Senate Bill No 117—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 300—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 18, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

Read second time, ordered to engrossment and third reading.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 7. 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin,

McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—69.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Evatt and Collins until eleven o'clock A. M. of this day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 5, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 248—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 577—An Act to amend Section 3819 of the Political Code of the State of California, relating to payment of taxes under protest—report the same back, with the recommendation of a majority that it do not pass.

Also: Assembly Bill No. 217—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court and their salaries—report the same back, and recommend that it do pass.

JOHNSON, Chairman

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Also: Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 341—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor

Also: Assembly Bill No 344—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

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

Also: Assembly Bill No 343—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

RADCLIFF, Acting Chairman.

Assembly Bills Nos. 340, 342, and 343 re-referred to Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 130—An Act to provide for the construction of a free wagon road from Los

Baños, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Baños and Stayton Mine Road, and along the most direct public road from Stayton Mine to the Town of Hollister, and making an appropriation therefor.

Also: Assembly Bill No 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the Treaty of Cahuenga was made, and appropriating money therefor.

Also: Assembly Bill No 487—An Act for the relief of J. E Atkinson for personal injuries received by him while in the service of the State

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest [Recommended by Board of Examiners]

Also: Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

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

FISK, Chairman.

ON IMMIGRATION

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Immigration, to whom was referred Assembly Bill No 278—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State—have had the same under consideration, and respectfully report the same back without recommendation

Also: Committee Substitute for Senate Joint Resolutions Nos 3, 4, and 5—Relative to Chinese and Japanese immigration to the United States—have had the same under consideration, and respectfully report the same back. and recommend that it do pass

ROBERTS, Chairman.

COMMITTEE SUBSTITUTE FOR SENATE JOINT RESOLUTIONS NOS. 3, 4, AND 5.

Relative to Chinese and Japanese immigration to the United States.

WHEREAS, Since the ratification of the convention between the United States and the Empire of China upon the subject of emigration from China to the United States additional territory has been acquired by the United States, as well through annexation as war, and in consequence grave uncertainty has arisen as to the rights and privileges of subjects of the Empire of China to emigrate to the United States; and

WHEREAS, It is for the best interest of the State of California that our laborers be protected from the competition of Chinese, Japanese, and other alien pauper labor; and

WHEREAS, His Excellency Henry T Gage, Governor of California, in his biennial message to the Legislature, has directed attention to the necessity and importance of legislation by the Congress of the United States relative to Asiatic immigration; and

WHEREAS, The "Chinese Exclusion Act," which has held in check the unlimited immigration of Chinese coolie labor to our shores, is about to expire by limitation, therefore, be it

Resolved by the Senate of the State of California and the Assembly, jointly, That our Senators be instructed and our Representatives in Congress be requested to use their best endeavors to secure the passage by Congress of a suitable measure to prevent the immigration of Chinese and Japanese coolie labor, and of all other undesirable alien labor, to the end that our laborers shall not be brought in competition with any pauper labor; and be it further

Resolved, That the Senators and Representatives in Congress from the State of California are requested to press the passage of such measure as urgency legislation; further, be it

Resolved, That a copy of these resolutions be transmitted by mail by the Secretary of the Senate to each of our members in Congress, to the President of the Senate of the United States, and the Speaker of the House of Representatives.

Resolution read and adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No 289—An Act to declare the Sonora and Big Meadows Wagon Road, commencing at Sonora, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 561—An Act to amend Section 2651 of the Political Code, relating to a general fund—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

MERRITT, Chairman

MOTION.

Mr. Atherton moved that Assembly Bill No. 92 be recalled from Committee on Public Morals and placed on second-reading file.

So ordered.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 183—An Act to amend Section 862 of an Act to provide for the organization, incorporation, and government of municipal corporations, approved March 13, 1883—have had the same under consideration, and report the same back, with three amendments, and respectfully recommend that it do pass as amended.

Also: Assembly Bill No. 174—An Act to provide for the establishment and maintenance of public libraries within municipalities—report the same back, with two amendments, and respectfully recommend that the same do pass as amended

SAVAGE, Chairman.

ON EDUCATION

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No 59—An Act to amend Sections 1637 and 1638 of Chapter III, Title III, Part III of the Political Code, relating to the school law of the State of California.

Also: Senate Bill No 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands

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

GANS, Chairman.

MESSAGE FROM THE SENATE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 656—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bill No. 656 ordered to enrollment.

INTRODUCTION AND FIRST READING OF BILLS.

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

By Mr. Clarke. Assembly Bill No. 661—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Foster: Assembly Bill No. 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 663—An Act to provide for the incorporation of mutual fire insurance companies, and defining their powers and duties.

Read first time, and referred to Committee on Corporations.

By Mr. Knight: Assembly Bill No. 664—An Act to add a new section

to the Civil Code, relating to conditional sales, leases, and transfers of personal property, and to be numbered 1742.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 665—An Act authorizing the making of official city maps for the purposes of assessment or transferring of property by descriptions as delineated on such maps, and authorizing for the purposes of such maps the resurvey and renumbering of blocks, lots, or parcels of land, and the fixing of the names of streets, avenues, lanes, commons, or parks.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 666—An Act to amend an Act entitled "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 purposes 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.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Assembly Bill No. 667—An Act to amend Section 3805 of the Political Code, relative to tax sales.

Read first time, and referred to Committee on Judiciary.

By Mr. Fisk: Assembly Bill No. 668—An Act to amend Section 3519 of the Political Code of the State of California, relating to swamp and overflowed land.

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

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 494—An Act entitled "An Act to regulate the sale of wood alcohol in the State of California"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HASSON, Chairman.

RESOLUTION.

By Mr. Butler:

Resolved, That for and by reason of services rendered the Assembly by Ed J. Smith from January 7th to February 6th, both days inclusive, as an Assistant Clerk, the Controller of State is hereby directed to draw his warrant in favor of said Ed J. Smith for the sum of $186, said sum being at the same per diem as is paid the Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay the said warrant out of the appropriation for the contingent expenses of the Assembly.

Read, and referred to Committee on Attachés and Employés.

SPECIAL ORDER.

Assembly Bill No. 230—An Act to regulate the practice of osteopathy in the State of California, to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Carter, Chiles, Clark, Cowan, Cromwell, Feliz, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, Johnson, Knight, Levinson, Mattos, Melick, Merritt, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford,

Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr Speaker—46.

NOES—Messrs. Collins, Fisk, James, John, Kincaid, Macbeth, McLoughlin, Myers, and Savage—9

Title read and approved.

MOTION.

Mr. Johnson moved that Assembly Bills Nos. 156, 157, 158, 159, 160, and 161 be recalled from Committee on Election Laws, and that he be allowed to withdraw the same.

So ordered.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, in favor of W O Banks, Sergeant-at-Arms of the Assembly, for the sum of $117.83, the same being for one half the expenses attending the Electoral College exercises held in the Assembly Chambers on the 14th day of January, 1901

Referred to Committee on Ways and Means

SPECIAL FILE.

Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read second time.

Mr. Fisk 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. 52.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 52 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 52—*An Act making an appropriation to pay the claim of the State Board of Horticulture* for moneys expended in behalf of the State of California—and do now report the same back, with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend Section 2 by striking out the word "immediately" and inserting the words "and be payable on and after July fifteenth, nineteen hundred and one"

Amendment adopted.

Assembly Bill No. 52 ordered to print, engrossment, and third reading.

Senate Bill No. 64—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell,

Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—54.

NOES—None

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No 294—An Act to provide for the appointment of a State Quarantine Officer by the State Board of Health, and to abolish the office of Quarantine Officer to the Board of Health for the City and County of San Francisco—have had the same under consideration, and respectfully report that, for the purpose of carefully considering the same, and acting under instructions from your honorable body, have visited San Francisco and the Federal Quarantine Station at Angel Island. We find that the United States Government has appropriated about $400,000 for the equipment of said station, which is modern in all respects, and thoroughly efficient and able to meet all the demands which are liable to be made upon it. Your committee is of the opinion that the need for the appointment of a State Quarantine Officer, or the establishment of a State Quarantine Station, does not exist, and it respectfully reports the bill back with the recommendation that it do not pass, and that the author be permitted to withdraw the same.

Also: Assembly Bill No 562—An Act to amend an Act entitled "An Act to regulate the sale of certain poisonous substances," approved April 16, 1880—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

HASSON, Chairman

Assembly Bill No. 294 withdrawn by author.

ON PUBLIC HEALTH AND QUARANTINE—(MINORITY)

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: The undersigned, a minority of the Committee on Public Health and Quarantine, dissents from the action of the majority on Assembly Bill No. 562, and recommends that it do not pass

W. J. EVATT.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 6, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISK, Chairman.

SPECIAL FILE—(RESUMED).

Senate Bill No. 37—An Act appropriating money for improvement and repairs of the laundry at the Preston School of Industry.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Beunink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—59

NOES—None.

Title read and approved.

Senate Bill No. 175—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Butler. Carter, Chandler, Chiles, Collins, Cowan, Duryea. Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—56.

NOES—None

Title read and approved.

Assembly Bill No. 105—An Act repealing Sections 1357 to 1383 of the Political Code, relating to primary elections.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Butler, Carter, Chandler, Chiles, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ray, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—51.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Greer:

Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby instructed to have an assistant in attendance at the cloak and bill room continuously during the day and evening as late as in the judgment of the Sergeant-at-Arms it is necessary for the convenience of the members.

Referred to Committee on Attachés and Employés.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry—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.

IRISH, Chairman.

Senate Bill No. 38 re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 624—An Act to appropriate the sum of $211.61 to pay the claim of B. A Johnson for supplies furnished the National Guard of California during the month of July, 1894—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi 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.

HENRY, Chairman

Assembly Bills Nos. 624 and 526 re-referred to Committee on Ways and Means.

SPECIAL FILE—(RESUMED).

Senate Bill No. 269—An Act making an appropriation to pay the claims of certain employés of the State Printing Office.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade Melick, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Senate Bill No. 49—An Act making an appropriation to pay the deficiency for stationery, fuel, lights, and supplies for the Legislature and State officers for the fiftieth fiscal year.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chandler, Clarke, Collins, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Reeber, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr Speaker—55

NOES—None.

Title read and approved.

Senate Bill No. 48—An Act making an appropriation to pay the deficiency in the appropriation for repairs to the Capitol building and furniture for the fiftieth fiscal year.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—58

NOES—None

Title read and approved.

At eleven o'clock and ten minutes A. M., the Speaker called Mr. Knight to the chair.

Senate Bill No. 47—An Act making an appropriation to pay the deficiency in the appropriation for stationery, fuel, lights, and supplies for the Legislature and State officers for the forty-eighth and forty-ninth fiscal years.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Radcliff, Ray, Reeber, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Webber—57.

NOES—None,

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 28—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Assembly Bill No 139—An Act to amend Section 103 of the Code of Civil Procedure

Assembly Bill No 140—An Act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof.

Assembly Bill No 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897

FRANKLIN, Chairman

MOTIONS.

Mr. Fisk moved that the Assembly take up third-reading file.

So ordered.

Mr. Melick moved that Assembly Bill No. 58 be made special order for two o'clock this afternoon.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 212—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read third time.

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

AYES—Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—55

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Public Health and Quarantine beg leave to report that they have visited San Francisco and the Quarantine Station at Angel Island, in accordance with a resolution adopted by the Assembly February 5, 1901, and that there is now due to each of the following named persons the sum set opposite their several names, for mileage:

D W Hasson	$19 20
N K Foster	19 20
C. R. Franklin	19 20
J J Hourigan	19 20
W J. Evatt	19 20
F. H. Kincaid	19 20
Frank Storer (clerk)	19 20
Total	$134 40

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of D W. Hasson for the sum of $134 40, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

HASSON, Chairman.

Referred to Committee on Mileage.

WITHDRAWAL OF BILL.

Assembly Bill No. 181 withdrawn by author.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Read third time.

Mr. Stewart of Amador moved that a select committee of one be appointed for the purpose of amending Assembly Bill No. 53.

Mr. Schlesinger moved that Assembly Bill No. 53 be re-referred to Committee on Swamp and Overflowed Lands and River Improvements.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 268—An Act appropriating money for the purchase of books for the use of the Preston School of Industry.

Assembly Bill No 231—An Act to amend Section 571 of the Civil Code

Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property

Assembly Bill No 499—An Act to amend an Act entitled 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, approved March 31, 1897.

Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools

Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Assembly Bill No. 448—An Act to amend Sections 1240 and 1241 of an Act entitled an Act to establish a Code of Civil Procedure.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperative associations," approved March 27, 1895

Assembly Bill No. 404—An Act defining investment companies and regulating and governing corporations, companies, associations, and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment, by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof

Assembly Bill No 484—An Act to amend Section 290 of the Civil Code, relating to articles of incorporation

Assembly Bill No 485—An Act to amend Section 305 of the Civil Code, relating to corporations

Assembly Bill No 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897

Assembly Bill No 586—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.

Assembly Bill No 300—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 18, 1883, and the amendments thereto, approved March 19, 1889, and March 26, 1895, respectively.

FRANKLIN, Chairman

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to

provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Williams—58.

NOES—None.

Title read and approved.

At eleven o'clock and fifty-five minutes A. M., the Speaker resumed the chair.

Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure.

Read third time.

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

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—56

NOES—Mr. Atherton—1.

Title read and approved.

Assembly Bill No. 140—An Act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Savage, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide a penalty for the violation of said Act."

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Knight, Levinson, Mattos, McLoughlin, McNeil, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—60

NOES—None.

Title read and approved.

Mr. Feliz gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 35 was this day passed.

Assembly Bill No. 214—An Act limiting the hours of daily service of persons, either male or female, employed by any person, firm, or corporation engaged in laundry business within the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read third time.

On motion of Mr. Hourigan, Assembly Bill No. 214 was passed on file, to retain its place on file.

Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty thereof.

The question being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr. Speaker—58.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Kelley:

Resolved, That the following named persons be and 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 contingent expenses of the Assembly—said appointments of W. C Guirey, Frank Doherty, George Boydon, W. B. Price, and R. J. Kady to be dated from and including the 7th day of January, 1901, and the others to be dated from and including the 25th day of January, 1901, and the State Controller is hereby authorized and directed to draw his warrants from 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:

H Bryan, Watchman	$3 00
G. A Gillespie, Committee Clerk	4 00
G. Kohlhoff, Committee Clerk	4 00
Walter Moreno, Watchman	3 00
C E Stanton, Electrician	4 00
Thos Dellegham, Engrossing and Enrolling Clerk	5 00
W. C Guirey, Assistant Clerk	6 00
Frank Doherty, Bill Filer	4 00
Geo Boydon, Porter	3 00
W. B. Price, Porter	3 00
R. J. Kady, Rear Porter	3 00
Total	$42 00

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter Clarke, Collins, Cromwell, Dunlap, Duryea, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Knight, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—55

NOES—Messrs. Sheridan and Sutro—2

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 P. M.
Speaker Pendleton in the chair.
Quorum present.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Mr. Fisk moved that Assembly Bill No. 58 be passed for the day, to be made special order for Friday, February 8, 1901.

So ordered.

Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expense incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs. Charles F. Curry, as Secretary of State of California," No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of the State of California, defendant and respondent," and numbered San Francisco No. 2442.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Henry, Hourigan, Irish, James, Johnson, John, Kelley, Knight, Levinson, Mattos, McNeil, Merritt, Milice, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 427 (Committee Substitute for Assembly Bill No. 122)—An Act to amend Section 3825 of the Political Code.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Broughton, Butler, Carter, Chiles, Clarke, Collins, Durvea, Evatt, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Hubbard, Irish, James, Johnson, Kelley, Kincaid, Knight, Levinson, Mattos, McNeil, McWade, Merritt, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—46.

NOES—Messrs Berry, Brown of San Mateo, Cromwell, and Webber—4.

Title read and approved.

SECOND-READING FILE.

Mr. Walker moved that Senate Bills Nos. 125 and 126 be substituted for Assembly Bills Nos. 98 and 99, they being identical bills.

So ordered.

Senate Bill No. 125—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under the "Local Improvement Act of 1901."

Read second time, and ordered on file for third reading.

Senate Bill No. 126—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities, such Act to be known as the "Local Improvement Act of 1901."

Read second time, and ordered on file for third reading.

Assembly Bill No. 346 withdrawn by author

SUBSTITUTION OF BILL.

Mr. Sutro moved to substitute Senate Bill No. 23 for Assembly Bill No. 190.

So ordered.

Senate Bill No. 23—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Read second time, and ordered on file for third reading.

MOTION.

Mr. Myers moved that Assembly Bill No. 430 be referred to Committee on Judiciary.

So ordered.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Hourigan: Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Henry: Assembly Bill No. 670—An Act to add a new section to the Civil Code, to be numbered and known as Section 588, relating to the levying and collecting of assessments on the capital stock of mining corporations, and limiting the amount of any one assessment.

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

Also: Assembly Bill No. 671—An Act to add a new section to the Civil Code, to be numbered and known as Section 589, relating to and regulating the expenditure of the proceeds of assessments levied and collected by the directors of mining corporations.

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

Also: Assembly Bill No. 672—An Act to add a new section to the Civil Code, to be numbered and known as Section 590, relating to

presidents and secretaries of mining corporations, and requiring them to furnish bonds for the faithful performance of their duties.

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

By Mr. Franklin: Assembly Bill No. 673—An Act to amend Section 331 of the Penal Code, relating to the use or rental of any house or lot for the purpose of gaming, and prohibiting such use, and fixing the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 674—An Act to amend Section 330 of the Penal Code, relating to the prohibition of gaming, and fixing the penalty therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Sutro: Assembly Bill No. 675—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3899 of the Political Code, relating to the assessment and collection of taxes.

Read first time, and referred to Committee on Judiciary.

By Mr. Carter: Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 19 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city or town.

Read, and referred to Committee on Judiciary.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

Read third time.

Mr. Kelley moved that a select committee of one be appointed to amend Assembly Bill No. 271 as follows:

Insert after the word "to," in line eighteen, Section 10 of the printed bill, the word "be"

So ordered.

Mr. Kelley was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 271, with instructions to amend, now reports that the instructions of the Assembly have been carried out

KELLEY, Committee.

Assembly Bill No. 271 ordered to print, reëngrossment, and passage.

Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler for attempted highway robbery.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Evatt, Franklin, Guilfoyle, Haley, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Knight, Levinson, Macbeth, McNeil, McWade, Merritt, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Treadwell, Walker, Williams, and Mr Speaker—47.

NOES—Messrs. Foster, Mattos, and Stewart of Amador—3.

Title read and approved.

SECOND-READING FILE—(RESUMED).

Mr. Stewart of San Diego moved that Senate Bill No. 206 be recalled from Committee on Claims and substituted in place of Assembly Bill No. 312.

So ordered.

Senate Bill No. 206—An Act making an appropriation to pay the claim of A. L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 206.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 206 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 206—An Act making an appropriation of $300 to pay the claim of A. L. Wood against the State of California—and do now report, and recommend that the same do pass

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 206 ordered to third reading.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 369—An Act appropriating $300 to pay the claim George E. Dierssen, as assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Irish, James, Johnson, Kincaid, Knight, Levinson, Macbeth, McNeil, McWade, Melick, Ralston, Ray, Roberts, Savage, Schlesinger, Stewart of Amador, Sutro, Treadwell, Williams, and Mr. Speaker—48.

NOES—Messrs. Sheridan and Simpson—2.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

McWADE, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 289—An Act to regulate the establishment of, and maintenance of, public laundries and public wash-houses in the cities and counties of the State.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Evatt, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, James, Johnson, Kelley, Knight, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—52.

NOES—Messrs. Feliz, Melick, and Sutro—3.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Sheridan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 289 was this day passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 470—An Act to appropriate the sum of $1,856 78 to pay the claim of Howard M. Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HENRY, Chairman.

Assembly Bill No. 470 referred to Committee on Ways and Means.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cromwell, Dunlap, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hasson, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Ray, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Broughton, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Dunlap, Evatt, Foster, Franklin, Greer, Haley, Hanen, Hasson, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, McLoughlin, Melick, Merritt, Milice, Myers, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—47.

NOES—None.

Title read and approved.

ASSEMBLY JOINT RESOLUTION No. 2.

Relative to Chinese immigration.

WHEREAS, Since the ratification of the convention between the United States and the Empire of China upon the subject of emigration from China to the United States additional territory has been acquired by the United States, as well through annexation as war, and in consequence grave uncertainty has arisen as to the rights and privileges of subjects of the Empire of China to emigrate to the United States; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the Congress of the United States is earnestly requested to enact immediately apt and proper measures in accordance with the policy of the existing treaties and laws of the United States for the protection of American labor from the emigration of Oriental and other cheap labor to the United States, and further, be it

Resolved, That the Senators are instructed and Representatives in Congress from the State of California are requested to press the passage of such measures as urgency legislation; further, be it

Resolved, That upon the Assembly concurring with this resolution, the Secretary of the Senate of the State of California is instructed to telegraph this joint resolution to the President of the Senate of the United States and the Speaker of the House of Representatives.

Resolution read and adopted.

At three o'clock and thirty minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Williams—53.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor.

Assembly Bill No. 368—An Act making an appropriation to pay the claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands

Assembly Bill No. 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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.

FRANKLIN, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373½, relating to public nuisances.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Mattos, McNeil, Melick, Merritt, Ralston, Ray, Reeber, Roberts, Rutherford, Savage,

Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—51.
NOES—None.

Title read and approved.

MOTION.

Mr. Higby moved that Assembly Bill No. 625 be re-referred to Committee on Fish and Game, to retain its place on file.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 97—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations, in the military service of the State.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Evatt, Feliz, Foster, Guilfoyle, Haley, Hanen, Higby, Hourigan, James, Johnson, John, Knight, Levinson, Macbeth, Mattos, McNeil, Melick, Milice, Ralston, Ray, Roberts, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—43.
NOES—Mr. Irish—1.

Title read and approved.

Assembly Bill No. 166—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Walker—56.
NOES—None.

Title read and approved.

At three o'clock and fifty minutes P. M., the Speaker resumed the chair.

MOTION.

Mr. Johnson moved that Assembly Bill No. 656 be recalled from enrollment and sent to printer.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER)

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 625—An Act to amend the Penal Code of the State of California, relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

HIGBY, Chairman.

ADJOURNMENT.

At three o'clock and fifty-eight minutes P. M., on motion of Mr. Schlesinger, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 8, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—71.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Cavagnaro and Collins for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 6, 1901, was read and approved.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 638—An Act to amend Section 2653 of the Political Code, relating to highways—have had the same under consideration, and respectfully report the same back, with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm-water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of public moneys and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "An Act to provide for the protection and preservation of public highways from damage by storm-water and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No 336—An Act to provide for the reconstruction of all culverts under roads and streets in counties, cities and counties, towns and townships, and cities and towns in the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on County and Township Governments

Also: Assembly Bill No. 513—An Act to repeal an Act entitled "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," approved April 1, 1897, relating to the Department of Highways—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 507—An Act to amend Sections 2641, 2644, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known and designated as Section 2642 and Section 2642½, relating to election, appointment of, and oath and bond of road overseers—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MERRITT, Chairman.

ON ROADS AND HIGHWAYS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: The minority of your Committee on Roads and Highways presents its report on Assembly Bill No. 513—An Act to repeal an Act entitled "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," approved April 1, 1897, relating to the Department of Highways—and respectfully recommends that it do pass.

W. W. GREER.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No 461—An Act to compel employers to furnish surgical and medical attendance to employés injured during working hours in mills, factories, shipyards, foundries, and other places where fixed machinery is used—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging camps.

Also: Assembly Bill No. 545—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

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

HOURIGAN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR SPEAKER: Your Committee on Judiciary having had under consideration Assembly Bill No 251—An Act to amend Section 1238 of the Code of Civil Procedure—report the same back without recommendation.

Also: Senate Bill No. 291—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees—report the same back, with the recommendation that it do pass.

Also: Senate Bill No. 292—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, for the sale of property in such actions, and for the making of deeds in such actions—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 569—An Act to amend Sections 319, 320, 321, 322, 323, 324, 325, and 326 of the Penal Code of the State of California—report the same back, by a majority vote, and recommend that it do pass

Also: Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof—report the same back, and recommend that it do pass

Also: Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges—report the same back, with one amendment, and recommend that it do pass as amended.

Also. Senate Bill No 341—An Act to add a new section to the Penal Code, to be numbered 246, defining the offense of malicious assault with a deadly weapon or instrument, by a person confined in the State Prison under life sentence, and prescribing the punishment therefor.

Also. Senate Bill No. 279—An Act to amend Section 237 of the Penal Code of California, relating to the punishment for false imprisonment.

Report the same back, by a majority vote, and recommend that they do pass.

Also: Senate Bill No 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing

Also: Senate Bill No. 180—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Report the same back, and recommend that they do pass.

Also: Assembly Bill No 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII,

embracing Sections 828 to 831*g*, inclusive, relating to actions for divorce—report the same back, with eleven amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 290—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 increasing jurors' fees to $3 per day—report the same back, by a majority vote, that it do not pass; by a minority, that it do pass.

Also: Assembly Bill No 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test bottles, or other appliances, showing false percentages of cream, butter-fat or richness, or which by their use are calculated to deceive or defraud—report the same back, with amendments, and recommend that it do pass as amended.

JOHNSON, Chairman.

ON JUDICIARY—(MINORITY).

MR. SPEAKER: We, the undersigned, a minority of the Committee on Judiciary, have had under consideration Assembly Bill No. 569—An Act to amend Sections 319, 320, 321, 322, 323, 324, 325, and 326 of the Penal Code of the State of California—and respectfully recommend that it do not pass.

T. J. SHERIDAN.
W. A. BAUER.
H. W. BROWN.

ON DAIRIES AND DAIRY PRODUCTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Dairies and Dairy Products, to whom was referred Assembly Bill No. 89—An Act to amend Sections 2, 11, and 13 of an Act entitled "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 stock; to prevent the sale of milk, and the products of milk drawn from diseased animals; to prevent the spread of infectious diseases common to stock, and to appropriate money therefor," approved March 22, 1899—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw same, and that the accompanying substitute do pass.

MYERS, Chairman

Assembly Bill No. 89 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 676 (Committee Substitute for Assembly Bill No. 89)—An Act to amend Section 2 of an Act entitled "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 stock; to prevent the sale of milk, and the products of milk drawn from diseased animals; to prevent the spread of infectious diseases common to stock, and to appropriate money therefor," approved March 22, 1899.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENNINK, Chairman

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No 123—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 115—An Act to provide for the establishment and maintenance of public libraries within municipalities

Have had the same under consideration, and report the same back, with two amendments, and respectfully recommend that they do pass as amended.

Also: Senate Bill No. 6—An Act to amend Section 870 of "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations—have had the same under consideration, and report the same back, and respectfully recommend that it do pass.

Also: Assembly Bill No. 390—An Act providing for the submission and enactment of ordinances by the direct vote of the qualified voters of counties, cities, and towns—and respectfully report the same back without recommendation.

Also: Assembly Bill No. 432—An Act to amend Section 1 of an Act entitled "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," approved March 18, 1897—report the same back, and respectfully recommend that it do not pass.

Also: Assembly Bill No. 557—An Act concerning the erection of poles with wires thereon, and laying conduits, cables, and wires in the streets of cities and towns for telephonic and telephone-telegraphic services to the inhabitants of such cities or towns, and the use of such streets for such services by individuals and domestic corporations.

Also: Assembly Bill No. 376—An Act regulating imposition of licenses by counties and municipal corporations in certain cases.

Have had the same under consideration, and report the same back, and respectfully recommend that they do not pass.

SAVAGE, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

Also: Assembly Bill No. 228—An Act to add a new section to the Penal Code of the State of California, to be known as Section 327, relating to witness' privilege in lottery cases.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred back to the Committee on Judiciary.

WEBBER, Chairman.

Assembly Bills Nos. 227 and 228 re-referred to Committee on Judiciary.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

GANS, Chairman.

Assembly Bill No. 102 re-referred to Committee on Ways and Means.

MESSAGE FROM THE SENATE.

The following message from the Senate was taken up and read:

SENATE CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 200—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: Adopted Senate Concurrent Resolution No. 12—Relative to providing a special file for Senate and Assembly bills.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 200—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 referred to Committee on Judiciary.

SENATE CONCURRENT RESOLUTION NO. 12.

Resolved by the Senate, the Assembly concurring, That on and after the 11th day of February, 1901, 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 Assem-

bly; and in the Assembly, only Senate bills that have passed the Senate. Such files shall be taken up at two o'clock P. M. of each day, and be considered for one and one half hours. This rule should not be suspended in either house except by a two-thirds vote of such house.

Resolution read.

Mr. Dunlap moved to amend Senate Concurrent Resolution No. 12 as follows:

Strike out the figures "11" and insert in lieu thereof the figure "8."

Amendment adopted.

By unanimous consent, the rules were suspended and the resolution, as amended, adopted.

RESOLUTION.

By Mr. Guilfoyle:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay same ($48.50), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for following bill, as per resolution of January 28, 1901.

Referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS, ETC.

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

By Mr. Melick: Assembly Constitutional Amendment No. 22—An Act to propose to the people of the State of California an amendment to the Constitution by adding Section 3 to Article XIV, relating to water and water rights.

Read, and referred to Committee on Irrigation.

By Mr. Greer: Assembly Bill No. 677—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read first time, and referred to Committee on Census and Apportionment.

By Mr. Guilfoyle: Assembly Constitutional Amendment No. 23—The Legislature of the State of California, at its thirty-fourth session, commencing on the 7th day of January, 1901, two thirds of all members elected to each house of the Legislature voting in favor thereof, hereby proposes that Article IX, Section 7, of the Constitution be amended to read as follows—etc.

Read, and referred to Committee on Education.

By Mr. Brown of San Francisco: Assembly Bill No. 678—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. Feliz: Assembly Bill No. 679—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

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

RESOLUTION.

By Mr. Rutherford:

Resolved, That by and for reason of services rendered the Assembly by Chas. Davey,

as porter, from January 11, 1901, to February 7, 1901, both days included, the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $84, and the State Treasurer is hereby authorized to pay the same.

Referred to Committee on Attachés and Employés.

SPECIAL ORDER.

Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

Read third time.

The roll was called.

Pending announcement of result of the vote, Mr. Fisk moved a call of the House.

So ordered.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—66

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

So ordered.

Mr. Fisk moved that a new roll call be ordered.

Motion carried, and it was so ordered.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Broughton, Brown of San Francisco, Butler, Carter, Collins, Cowan, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Henry, Hourigan, Irish, Johnson, Kelley, Knight, Macbeth, McLoughlin, McWade, Merritt, Miller, Ralston, Ray, Reeber, Rutherford, Schlesinger, Stewart of San Diego, Stewart of Amador, and Mr. Speaker—35.

NOES—Messrs. Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Fisk, Haley, Hanen, Higby, Hubbard, Irving, James, John, Kincaid, Levinson, Mattos, Melick, Milice, Myers, Radcliff, Roberts, Savage, Sheridan, Simpson, Sutro, and Walker—32.

NOTICE OF RECONSIDERATION.

Mr. Fisk gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 58 was refused passage.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway, commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Fish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

Also: Assembly Bill No 220—An Act providing for the creation and management of the California Redwood Park.

Also: Assembly Bill No 258—An Act to provide for the location, construction, and maintenance of a State highway, from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Have had the same under consideration, and respectfully repor the same back and recommend that they do not pass.

Also: Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway, connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and the undersigned members of the committee, as a majority thereof, recommend that it do pass.

FISK, Chairman.

ON WAYS AND MEANS—(MINORITY).

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and the undersigned member of the committee, as a minority thereof, recommends that it do not pass.

W. C. RALSTON.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works for the fifty-first fiscal year, and directing from what source such payment shall be made—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry

Also: Assembly Bill No. 437—An Act making an appropriation to pay the claim of William Cronan for extra work performed in the construction of the Union Depot and Ferry House at San Francisco.

Also: Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

FISK, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 259—An Act making an appropriation to pay the claim of J E Edson—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman

Senate Bill No. 259 re-referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 416—An Act to create and regulate public warehouses—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 353—An Act to carry into effect Section 19 of Article XI of the Constitution of this State; to prevent monopoly, and secure to the inhabitants of any city or town the benefits of free competition in gas and electric service, and to prevent unreasonable or excessive rates, or discriminations therein—have had the same under consideration, and respectfully report the same back without recommendation.

BROUGHTON, Chairman.

MOTION.

Mr. Macbeth, at request of author, moved that Assembly Bill No. 293 be recalled from Committee on Election Laws and referred to Committee on Judiciary.

So ordered.

WITHDRAWAL OF BILL.

Assembly Bill No. 28 withdrawn by author.

MOTION.

Mr. Stewart of Amador moved that Senate Bill No. 38 be substituted for Assembly Bill No. 28 (withdrawn), they being identical bills.

So ordered.

Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read second time.

Mr. Stewart of Amador moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 38.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 38 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry—and do now report the same back, with amendment, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend by striking out the words "one thousand five hundred," in line three, first page, printed bill, and inserting in lieu thereof the following: "eight hundred"

Amendment adopted.

Senate Bill No. 38 ordered to print and on file for third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Brown of San Francisco:

Resolved, That the Committee on Commerce and Navigation, and the clerk thereof, be given leave of absence to visit San Francisco, when necessary, to examine matters referred to in various bills now before said committee relating to harbor improvements and the pilot service.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Senate Bill No. 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof—have had the same under consideration, and report the same back, and respectfully recommend that it do pass.

SAVAGE, Chairman.

At eleven o'clock and twenty-five minutes A. M., the Speaker called Speaker pro tem. Ralston to the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Barnes:

Resolved, That Senate Bill No. 124 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 Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, and Mr. Speaker—57.

NOES—None.

Senate Bill No. 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Read first time, and ordered to second reading.

Senate Bill No. 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Read second time, considered engrossed, and ordered to third reading.

Senate Bill No. 124—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chandler, Chiles, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hubbard, Irish, James, Johnson, Kelley, Kincaid, Knight, Macbeth, Mattos, McLoughlin, Melick, Milice, Myers, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, and Williams—45.

NOES—None.

Title read and approved.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

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

By Mr. Cromwell: Assembly Bill No. 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor.

Read first time, and referred to Committee on Agriculture.

By Mr. Levinson: Assembly Bill No. 681—An Act to promote the horticultural interests of the State by providing County Boards of Horticultural Commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing County Boards of Horticulture," approved March 31, 1897.

Read first time, and referred to Committee on Fruit and Vine Interests.

By Mr. Higby: Assembly Bill No. 682—An Act to establish a State Highway over the present county road between the City of Hollister, in San Benito County, and Salinas, in the County of Monterey, and making an appropriation for the improvement, maintenance, and protection thereof.

Read first time, and referred to Committee on Roads and Highways.

MOTION.

Mr. Johnson moved that the Assembly now take up for consideration Assembly Bills Nos. 409, 411, and 412.

So ordered.

Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Macbeth, Mattos, Merritt, Milice, Ralston, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—48.

NOES—Messrs. Cowan and Schlesinger—2.

Title read and approved.

Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—56.

NOES—Messrs. Cowan and Schlesinger—2.

Title read and approved.

Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—57.

NOES—Mr. Cowan—1.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors at law, in the courts of this State.

Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Assembly Bill No. 281—An Act to provide for the location and construction of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River, and placing the same under the management and control of the Department of Highways, and making an appropriation therefor.

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the

destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

FRANKLIN, Chairman.

CORRECTION OF JOURNAL.

Mr. Kelley moved that the following corrections be made in the Journal of Thursday, February 7, 1901:

In resolution by Mr. Kelley, on page thirteen, after the name "G. A. Gillespie," insert the word " committee"; also, the word "committee" after the name "Kohlhoff"; also, the word "assistant" after the name "Guirey"; also, change the per diem of C. E. Stanton from $5 to $4.

Motion carried, and it was so ordered.

MOTION.

Mr. Fisk moved that Assembly Bill No. 584 be re-referred to Committee on Ways and Means.

So ordered.

RESOLUTION.

By Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for $39.20, to pay the bill of D. Johnston & Co., as per resolution of January 28, 1901.

Resolution read, and referred to Committee on Ways and Means.

SPECIAL FILE.

Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read second time.

Mr. Stewart of Amador moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 269.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 269 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry—and do now report, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 269 ordered to engrossment and third reading.

WITHDRAWAL OF BILL.

Assembly Bill No. 410 withdrawn by author.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 579 (Committee Substitute for Assembly Bill No. 410)—An Act to amend Section 1192 of the Political Code, relating to elections.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, Melick, Merritt, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, and Williams—50.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Brown of San Francisco:

WHEREAS, Various bills have been referred to the Committee on Public Morals concerning certain places of amusement, relating to children; also malformation bill;

Resolved, That said committee, with clerk, is hereby authorized to visit said places for the purpose of investigation and intelligently acting on same; and it is further

Resolved, That said committee and clerk are hereby granted a leave of absence for said purpose.

Resolution adopted.

At twelve o'clock and fifteen minutes P. M., the Speaker resumed the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. CHAIRMAN: Your Committee on Revision and Reform of Laws, to whom was referred Assembly Bill No. 119—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections—have had the same under consideration, and report the same back, and respectfully recommend that the bill accompanying this report be introduced as a substitute, and that such substitute do pass.

Also, that said Assembly Bill No 119 embodies the suggestions made by the Commission for the Revision and Reform of the Laws as to the revision of the Civil Code, and embodied in their report heretofore filed with the Secretary of State.

That in considering said bill your committee met in joint sessions with a like committee of the Senate. That said substitute bill, accompanying said report, is substantially the same as Assembly Bill No. 119, and is introduced in the form of a substitute, for the reason that several of the provisions of the bill heretofore introduced were not adopted, and it was necessary to renumber the sections of the bill, which could not well be done by separate amendments.

Respectfully submitted. TREADWELL, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 683 (Committee Substitute for Assembly Bill No. 119)—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read first time, and ordered on file for second reading.

Assembly Bill No. 119 withdrawn by author.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 80—An Act making additional appropriation to

provide for certain improvements and repairs at the State Normal School at Los Angeles.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Haley, Hanen, Higby, Hourigan, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, Melick, Milice, Miller, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, and Mr. Speaker—51.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 644—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

J. McD. KELLEY, for the Committee.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

Speaker Pendleton in the chair.

Quorum present.

MOTION.

Mr. Ralston moved that the Assembly do now consider message from the Senate.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution—and respectfully ask the concurrence of your honorable body in said Senate amendment.

Also: Concurred in Assembly amendment to Senate Concurrent Resolution No. 12—Relative to providing for a special file for Senate and Assembly bills.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Mr. Johnson moved that the Assembly do now concur in the following Senate amendment to Assembly Bill No. 146:

Amend by striking out the figures "20," in line one hundred and thirty-one, page five, printed bill, and inserting in lieu thereof the figures "19"

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Dur-

yea, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, and Williams—50.

NOES—None.

Assembly Bill No. 146 ordered to enrollment.

SENATE SPECIAL FILE.

Committee Substitute for Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year.

Read second time.

Mr. Guilfoyle moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 154.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Committee Substitute for Senate Bill No. 154 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling, and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year—and do now report, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Committee Substitute for Senate Bill No. 154 ordered to third reading.

Senate Bill No. 66—An Act to amend Section 1261 of the Political Code, relating to election returns.

Read second time, and ordered to third reading.

Senate Bill No. 39—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Gans Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, James, Johnson, John, Kincaid, Knight, Macbeth, McNeil, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, and Williams—44.

NOES—None.

Title read and approved.

Senate Bill No. 267—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874.

Read second time, and ordered to third reading.

Senate Bill No. 367—An Act to amend Section 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 25, 1895, relating to the powers and duties of such Bank Commissioners.

Read third time.

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

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Williams, and Mr. Speaker—48.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Mr. Henry moved that Senate Joint Resolution No. 2 be made special order for Thursday, February 14, 1901, immediately after action on Assembly Concurrent Resolution No. 6.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

SENATE JOINT RESOLUTION NO. 10

Relative to the establishment of a boarding-school for Pit River Indians in Modoc County, California.

WHEREAS, The Pit River Indians, with the assistance of the white citizens of Modoc County, California, have forwarded to the Congress of the United States a petition asking for the establishment of an Indian boarding-school at or near Alturas, California; and

WHEREAS, The Pit River Indians entered into a solemn covenant with General George Crook, about the year eighteen hundred and sixty-five, to remain peaceful, and by said agreement were required to remain within certain territory, namely, Hot Spring and South Fork valleys, and being unfriendly with the tribe known as the Piutes, whose territory was and is east of the Warner range of mountains, were by this treaty to refrain from crossing said range and coming in contact with the Piutes, who were a more powerful and warlike tribe; and

WHEREAS, The Government has established at Fort Bidwell, in the said county, a boarding-school for Indians within the limits occupied by the Piutes, and it being distasteful to the Pit River Indians, for the reason of jealousies existing and the domineering spirit of the Piutes, but few will attend while there is an existing friction between the children of the two tribes; and

WHEREAS, It is impossible for the Pit River Indians to journey back and forth to the school so situate, during the winter months, on account of heavy snows in the mountains and passes, and it being some fifty to seventy-five miles distant from their territory; and

WHEREAS, The Pit River Indians have faithfully kept their pledge and have at all times remained friendly to the white settlers, and during the Modoc war of eighteen hundred and seventy-two and eighteen hundred and seventy-three they rendered such excellent service as guides, friends, and protectors of the whites; and

WHEREAS, The Chief of the Pit River Indians has felt that in consequence of the treaty spoken of and the friendship so truly preserved and assistance rendered the Government as stated, and they now having become farmers, laborers, and stock-raisers of this section, they ask that the Government, to which they have been so loyal, now grant them the advantage of education by establishing a school as requested, so that they may educate their children, now numbering some two hundred and fifty, at such a place as they may desire—said school to be a boarding-school such as is customary for the Government to establish for this purpose; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That our Senators be instructed and our Representatives in Congress be requested to use their best endeavors to secure such legislation and appropriations as will establish the school petitioned for; and be it further

Resolved, That the Secretary of the Senate be instructed to transmit by mail a copy of these resolutions to the Hon. George C. Perkins, Senator, and Hon. J. A. Barham,

Congressman, at Washington, D. C., and also that a copy be forwarded to the Hon. Frank L. Coombs, Congressman-elect, at San Francisco, California.

Resolution read and adopted.

Senate Bill No. 45—An Act making an appropriation to pay the claim of the City of Sacramento for water furnished the State of California during the forty-ninth and fiftieth fiscal years.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Hubbard, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, and Williams—46.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 127—An Act to appropriate the sum of $150,000 to be used in the construction of works for the restraining and impounding of débris resulting from mining operations, natural erosions, and other causes, and for the purchase of sites therefor, and to provide for the manner of expending such appropriation.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Williams, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 160—An Act to provide for the payment of the claim of Claus Spreckels against the State of California, and appropriating money therefor.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, Melick, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Sutro, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 117—An Act to validate proceedings for the reorganization of municipal corporations taken since the passage of the Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Franklin, Gans, Greer, Haley, Hanen, Higby, Johnson, Kelley, Kincaid, Macbeth, Mattos, McNeil, Melick, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Williams, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 2—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read second time.

Mr. Atherton moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 2.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 2 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 2—An Act making an appropriation to pay the claim of the County of Marin against the State of California—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 2 ordered 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. Schlesinger: Assembly Bill No. 684—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee, may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property or any part thereof so that the purchaser, incumbrancer, mortgagee, or grantee, or pledgor of such property will take, own, and possess such property unaffected by such action and suit, or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment, in said action, upon the said undertaking.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment

debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking, in case any objection made is sustained by the court, or admitted.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 686—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association, claiming to own property, or an interest therein, levied upon an attachment in an action wherein the said person, partnership, corporation, or association is not the alleged debtor, to release the property, or interest therein, claimed from the attachment, lien, and levy; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted.

Read first time, and referred to Committee on Judiciary.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 52—An Act to provide for the payment of a claim of Modoc County for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor.

Read second time.

Mr. Knight moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 52.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 52 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 52—An Act to provide for the payment of a claim of Modoc County for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 52 ordered on file for third reading.

Senate Bill No. 141—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 second time.

The following amendment was submitted by the committee:

Amend by inserting the words "and the term of duration of said franchise" after the word "granted," in line eight, Section 1, first page, printed bill

Amendment adopted.

Senate Bill No. 141 ordered to print and third reading.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 2, page two, line fifteen, printed bill, by inserting after the word "road" the words "or roads."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 10, page four, line ten, printed bill, by inserting after the word "road," the words "or roads."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 18, page six, line nine, printed bill, by striking out the word "twenty," and inserting in lieu thereof the word "forty."

Amendment lost.

AMENDMENT No. 4.

Amend Section 19, page six, line five, printed bill, by inserting after the word "conducted" the words "at such elections the ballots shall contain the words 'Bond—Yes' or 'Bond—No.'"

Amendment adopted.

AMENDMENT No. 5.

Amend Section 20, page seven, line thirteen, printed bill, by striking out the word "ten," and inserting in lieu thereof the word "fifteen"

Amendment adopted.

AMENDMENT No. 6.

Amend Section 21, page seven, line four, printed bill, by striking out the word "twenty," and inserting in lieu thereof the word "forty."

Amendment lost.

AMENDMENT No. 7.

Amend Section 24, page seven, lines two and three, printed bill, by striking out the words "after reasonable notice," and inserting in lieu thereof the following: "in accordance with the provisions of Section 2643 of the Political Code of California."

Amendment adopted.

Senate Bill No. 144 ordered to print and third reading.

SPECIAL ORDER.

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

The question being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Franklin, Gans, Greer, Halev, Hanen, Higby, Hourigan, Hubbard, James, Johnson, Kelley, Kincaid, Knight, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Williams, and Mr. Speaker—46.

NOES—None.

Title read and approved.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 440—An Act to amend Section 25 and Section 52 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, relating to powers of Supervisors of counties—recommend that it do pass.

Also: Assembly Bill No. 370—An Act to facilitate and increase the collection of State and county and municipal licenses in the several counties, or cities and counties, of the State of California—report the same back, with the recommendation that author have leave to withdraw the same.

Also: Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties, to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business—recommend that it do pass

Also: Assembly Bill No. 324—An Act to amend Section 15 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also. Assembly Bill No. 555—An Act to amend Section 15 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

Recommend that they do not pass.

Also: Assembly Bill No. 633—An Act to amend Section 162 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section to be known and designated as Section Number 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns and to define the limits within which such soliciting is prohibited

Recommend that they do pass.

Also: Assembly Bill No. 215—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Assembly Bill No. 439—An Act to amend Section 40 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to claims.

Also: Assembly Bill No. 519—An Act to amend Section 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Assembly Bill No. 131—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

McWADE, Chairman.

Assembly Bill No. 370 withdrawn by the author.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No 213—An Act to add a new section to the Penal Code of the State of California, to be known as Section 28, providing for the release and discharge of persons now confined in or that may hereafter be committed to any penitentiary, prison, jail, house of detention, reform school, or other penal institution, by whatever name the same may now or hereafter be known, under conviction for a penal offense, on a Monday

Assembly Bill No 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof

Assembly Joint Resolution No. 6—Relative to Government forest reserves

Assembly Joint Resolution No. 10—Relative to the passage of the Grout bill, now pending in the United States Senate.

And were presented to the Governor on February 7, 1901, at four o'clock and five minutes P. M.

Assembly Bill No 39—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of Cali-

fornia to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

Assembly Bill No 656—An Act making an appropriation for the contingent expenses of the Assembly for the thirty-fourth session.

And were presented to the Governor this day at two o'clock and thirteen minutes P M.

Assembly Bill No. 33—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure, approved March 11, 1872," by adding thereto a new section, to be known as Section 2022, authorizing the taking of a deposition where the adverse party has not appeared, and providing the proceeding.

Assembly Bill No 34—An Act to amend Section 849 of the Code of Civil Procedure, relating to service of summons in Justice's Court actions.

Assembly Bill No. 165—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

FRANKLIN, Chairman.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also. Assembly Bill No. 92—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty or uncertain or contingent event, and the maintaining of places wherein pool-selling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the race-track enclosure, fair grounds, or buildings wherein such trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines shall be had and occur, and upon the days when such trials or contests actually occur or are had, and to provide a punishment for the violation of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

WEBBER, Chairman.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up of the affairs of an insolvent banking corporation—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

BARNES, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901

MR SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No 201—An Act to define and establish a portion of the eastern boundary of the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it, being identical with Assembly Bill No 291, be substituted on the file for Assembly Bill No 291 (No 96 on the file)

CROMWELL, Chairman.

Mr. Cromwell moved that Senate Bill No. 201 be substituted for Assembly Bill No. 291, they being identical bills.

So ordered.

Mr. Feliz called up his notice of reconsideration of Assembly Bill No. 35, and moved that the matter lay over until Wednesday, February 13, 1901.

Mr. Duryea moved to lay motion and notice of reconsideration on the table.

Motion carried, and it was so ordered.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as indicated.

By Mr. Greer: Assembly Bill No. 687—An Act making an appropria-

tion to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Read first time, and referred to Committee on Claims.

By Mr Johnson: Assembly Bill No. 688—An Act to pay the claim of Fred Mason for towel service furnished the Board of Public Works during the forty-eighth fiscal year.

Read first time, and referred to Committee on Claims.

By Mr. Kelley: Assembly Bill No. 689—An Act to add a new section to the Political Code, to be known as Section 3365, relating to licenses.

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

By Mr. Hourigan: Assembly Bill No. 690—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 fiftieth fiscal year.

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

By Mr. Gans: Assembly Bill No. 691—An Act to amend Section 174 of the Penal Code of the State of California, relative to fish.

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

MOTION.

Mr. Johnson moved to take up Governor's messages.

So ordered.

GOVERNOR'S MESSAGES.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 8, 1901.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 656, entitled "An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session."

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 8, 1901.

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, with my objections thereto, Assembly Bill No 88, entitled "An Act authorizing the State Prison Directors of the State of California to employ prisoners in the construction and repair of roads to the State Prison at San Quentin."

The bill authorizes the State Board of Prison Directors during the four years next succeeding the passage of the Act to employ prisoners daily in the construction and repair of such public roads as have been, or shall hereafter be, laid out or opened by the Board of Supervisors of Marin County, and which extend from the State Prison and grounds of San Quentin "to Point Tiburon or any railroad station in Marin County within four miles of said State Prison."

By the terms of this bill the prisoners are to be employed in work to be done upon the county roads of Marin County, and such work is therefore intended for the benefit of the County of Marin, as well as for such incidental benefit as might flow to the State.

This Act, in my opinion, clearly violates Subdivision 7 of Section 25 of Article IV of the State Constitution, which, among other things, prohibits the Legislature from passing local or special laws, "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."

This bill is likewise contrary to the spirit of Section 3 of Article X of the Constitution, which reads as follows:

"After the first day of January, 1882, the labor of convicts shall not be let out by contract to any person, co-partnership, company, or corporation, and the Legislature shall by law provide for the working of convicts for the benefit of the State."

I therefore disapprove of this measure for the additional reason that it is opposed to said Section 3 of Article X of the Constitution, which requires that the work of convicts should be for the benefit of the State only, and because said bill is against the policy of

said section of the Constitution, which was designed to prevent the degradation of honest labor by bringing it in competition with the work of the convicts of the State.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Laid over to unfinished business.

LEAVE OF ABSENCE.

Messrs. Treadwell and Sheridan were granted leave of absence until Tuesday morning.

The Committee on Commissions and Public Expenditures and the Committee on Public Buildings and Grounds were granted leave of absence until Tuesday morning, February 12, 1901.

RESOLUTION.

By Mr. Melick:

Resolved, That the Superintendent of State Printing be instructed to print 2,000 copies of Bulletin No. 19 of the State Mining Bureau, pertaining to the oil and gas yielding formations of California, the same to be paid for out of the Contingent Fund of the Assembly

Ordered printed in the Journal, and made special order.

MOTION.

Mr. Sheridan moved that the rules be suspended and Assembly Bill No. 531 taken up for second reading out of order.

So ordered.

Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 828 to 831, inclusive, relating to actions for divorce.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the semicolon from line eleven of page one of the printed bill, and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT No. 2.

Strike out from lines twenty-three and twenty-four of page two of the printed bill the words "the summons and a copy of the complaint shall be served upon"; strike out from line twenty-five, said bill, the words "who is"; and insert before the word "denominated," in line twenty-five of page two of the printed bill, the words "shall be made a party and be"; and insert after said word "denominated" the article "the"; and insert a comma after the word "sustained," in line twenty-eight of said page two.

Amendment adopted.

AMENDMENT No. 3.

Strike out all of lines forty-three and one half, forty-four, and forty-five of the printed bill, up to and including the word "interest," and insert in lieu thereof the words, "if personal service of the summons cannot be had upon a defendant, and an order for the publication thereof has been made under the provisions of section four hundred and twelve of this code"; and strike out the words "seize such property," and insert in lieu thereof the words "levy upon any property in the State belonging to such defendant."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "an appropriate writ" from line forty-six of printed bill, and insert in lieu thereof the words "a writ of attachment."

Amendment adopted.

AMENDMENT No. 5.

Strike out the words "and hold it" from lines forty-seven and forty-eight of the printed bill, and insert in lieu thereof the words "and the property so levied upon shall be," and insert after the word "action," in said line forty-eight, the words "or may be sold and the proceeds applied to the satisfaction of any execution issued upon such decree."

Amendment adopted.

AMENDMENT No. 6.

After the word "when," in line sixty-two, on page three of the printed bill, insert the word "all," and strike out the words "or defaulted" from the same line, and insert the words "or some of them have answered and the remaining defendants have made default," and insert a semicolon in lieu of the comma after the word "divorce," at the beginning of line sixty-five on said page three.

Amendment adopted.

AMENDMENT No 7.

Insert the words "or her" after the word "him," in line seventy-three, page three of the printed bill, and strike out the comma after the word "wife," in line eighty-three on said page three, and insert the word "that" after the first word "and," in line seventy-six, on said page three.

Amendment adopted.

AMENDMENT No. 8.

After the word "above," in line eighty-seven, page three of the printed bill, insert the words "subject to appeal."

Amendment adopted.

AMENDMENT No. 9.

Strike out the word "cross-complaint" from line ninety-eight, page four of the printed bill, and insert in lieu thereof the word "cross-complainant"

Amendment adopted.

AMENDMENT No. 10.

After the word "property," in last line of printed bill, insert a comma and the words "alimony or provisions for support of wife or children," and insert a comma after the word "may," in line ninety-five, page four of printed bill; also, insert a comma after the word "decree," in line ninety-one, on said page, and a comma after the word "shall," in said line ninety-one.

Amendment adopted.

AMENDMENT No. 11.

Strike out the word "to" from line one hundred of the printed bill, and insert in lieu thereof the words "one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty, one hundred and forty-one, one hundred and forty-two, one hundred and forty-three, one hundred and forty-six, one hundred and forty-seven," and strike out the word "inclusive," in line one hundred and one of said bill.

Amendment adopted.

By Mr. Sheridan:

Amend by striking out of page four, line ninety-four, the period, and inserting the following after the word "parties," line ninety-four, viz: "to the marriage, and such decree shall restore them to the status of single persons, and permit either to marry after the entry thereof."

Amendment adopted.

Assembly Bill No. 531 ordered to print, engrossment, and third reading.

MOTIONS.

Mr. Sheridan moved that Assembly Bill No. 531 be made special order for next Wednesday.

So ordered.

Mr. Anderson of Solano moved that the Assembly adjourn until next Monday at nine o'clock and thirty minutes A. M.

Motion lost.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 9, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Ralston in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Atherton, Bauer, Berry, Carter, Chandler, Chiles, Cromwell, Duryea, Gans, Greer, Haley, Hanen, Higby, James, Johnson, Kincaid, Levinson, Mattos, Milice, Myers, Ralston, Ray, Roberts, Sheridan, and Stewart of San Diego—26.

No quorum present.

ADJOURNMENT.

On motion of Mr. Anderson of Solano, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 11, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Fisk, Franklin, Gans, Greer, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—52.

Quorum present.

LEAVE OF ABSENCE.

Mr. Duryea was granted leave of absence until Wednesday, February 13, 1901, at eleven o'clock A. M.

Messrs. Cavagnaro, John, Walker, Evatt, Mattos, Macbeth, Dunlap, Higby, Collins, and Butler were granted leave of absence for one day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Thursday, February 7, 1901, having been read and corrected, was approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 259—An Act making an appropriation to pay the claim of J. E. Edson.

Also: Senate Bill No 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

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

Also: Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Also: Assembly Bill No. 209—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor

Also: Assembly Bill No 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 243—An Act appropriating $50,000 for the maintenance of the San Francisco State Normal School—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

FISK, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1901.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the two weeks ending Saturday, February 9, 1901, as follows:

Bills Referred to this Committee Since Last Report.

Jan. 28,	Assembly Bill No 63—Making an appropriation to pay for printing, etc, furnished by State Printing Office to State institutions for remainder of fifty-second fiscal year	$26,450 00
28,	Assembly Bill No. 472—To provide for certain improvements in the Yosemite Valley	25,000 00
29,	Senate Bill No. 103—Making an appropriation to pay the deficiency for transportation of insane and feeble-minded children, forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years	9,063 00
29,	Senate Bill No 155—Making an appropriation to pay the deficiency in the appropriation for postage, etc., Attorney-General, fiftieth fiscal year	351 75
29,	Assembly Bill No. 478—To repeal an Act entitled "An Act providing for the construction and furnishing a residence for the Governor of the State of California," etc.	----------
29,	Assembly Bill No. 479—To authorize and direct transfer from the General Fund to the University Fund of the sum of $48,758, etc., and prescribing the duties of the Controller and Treasurer in relation thereto	----------
29,	Assembly Bill No. 480—Making an appropriation for the support and maintenance of the Univeristy of California, and prescribing the duties of the Controller and Treasurer in relation thereto	200,000 00
29,	Assembly Bill No. 210—To establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor	50,000 00

Jan. 29,	Assembly Bill No. 229—To provide for the appointment by the Supreme Court of five commissioners and a secretary	$67,000 00
31,	Committee Substitute for Senate Bill No. 127—To provide for the appointment, duties and compensation of a Débris Commissioner, etc.	150,000 00
31,	Committee Substitute for Senate Bill No 154—Making an appropriation to pay for the printing, etc., by State Printing Office for Attorney-General for remainder of fifty-first fiscal year	23,250 00
30,	Assembly Bill No. 435—To amend an Act entitled "An Act to provide for the appointment, duties, and compensation of Débris Commissioner," etc., approved March 24, 1893	
30,	Assembly Bill No 281—To provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River	50,000 00
30,	Assembly Bill No. 258—To provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road to Tahoe City	36,000 00
30,	Assembly Bill No. 249—To provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor	85,000 00
30,	Assembly Bill No. 130—To provide for the construction of a free wagon road from Los Baños * * * to the town of Hollister, and making an appropriation therefor	10,000 00
31,	Committee Substitute for Assembly Bill No. 516—To provide for the location, construction, and maintenance of a State highway from Mount Hamilton Observatory to San Joaquin River, and making an appropriation therefor	30,000 00
31,	Assembly Bill No. 382—To provide for the appointment of a trustee to accept gift of land, and purchase monument to mark spot where treaty of Cahuenga was made	1,000 00
31,	Assembly Bill No. 148—To provide for the joint investigation with the Federal Government of the water resources of the State, etc.	107,200 00
31,	Assembly Bill No 267—Appropriating money for the maintenance and improvement of water system, Preston School of Industry	7,000 00
31,	Assembly Bill No 261—Making an appropriation to pay the salaries and expenses of employés of Commissioner of Public Works, fifty-first fiscal year, etc.	3,295 48
31,	Assembly Bill No 269—Appropriating money for establishing an ice plant at Preston School of Industry	1,500 05
31,	Senate Bill No 160—To pay the claim of Claus Spreckels	11,675 82
31,	Assembly Bill No. 368—To pay the claim of O O. Webber	47 75
31,	Assembly Bill No 220—Providing for the creation and management of the California Redwood Park	250,000 00
Feb. 1,	Assembly Bill No. 43—To pay the claim of John S. Wilkins	450 00
1,	Assembly Bill No. 80—Making additional appropriation to provide for certain improvements and repairs at the State Normal School, Los Angeles	10,000 00
1,	Assembly Bill No. 292—To provide for the payment of P. W. Forbes for costs of suit, etc.	85 75
1,	Assembly Bill No 304—To provide for the completion and equipment of the building now being constructed for the use of the State Normal School at San Diego	50,000 00
1,	Assembly Bill No. 347—To create the office of Sheep Inspector	
1.	Assembly Bill No 367—Authorizing the Secretary of State to appoint two additional clerks, and repealing Section 422, Political Code	
1,	Assembly Bill No. 384—To pay the claim of A. I. McSorley	87 32
1,	Assembly Bill No. 398—Appropriating money for the payment of claims arising in the counties of Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, and Trinity, for coyote scalps	39,300 00
1,	Assembly Bill No 426—To pay the claim of Wm J Elder	80 00
1,	Assembly Bill No. 447—To pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge	355 20
1,	Assembly Bill No. 487—For the relief of J. E Atkinson	15,000 00
1,	Assembly Bill No 492—To pay claims arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, for coyote scalps	9,130 00
1,	Assembly Bill No. 503—Making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest	750 00
1,	Senate Bill No. 37—Appropriating money for improvement and repairs on laundry at Preston School of Industry	500 00
1,	Senate Bill No 52—To provide for the payment of the claim of Modoc County for costs in foreclosing delinquent purchasers of State school lands	256 75

Feb. 4,	Assembly Bill No. 27—Making an appropriation for the purpose of placing a flume and flood-gates at the mouth of Lake Earl	$5,000 00
4,	Assembly Bill No. 603—To place the Lake Tahoe Wagon Road under the care, control, management, and supervision of Department of Highways	20,000 00
4,	Assembly Bill No. 606—Making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year	1,125 00
4,	Assembly Bill No. 273—To pay the claim of John E Raker	256 75
4,	Assembly Bill No. 288—To establish a State highway between Salinas and San Miguel	50,000 00
4,	Assembly Bill No. 492—Appropriating money for the payment of claims against the State arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, for coyote scalps	9,130 00
4,	Assembly Bill No. 503—Appropriating $750 to pay a deficiency for costs and expenses of suits in which the State is a party	750 00
4,	Senate Bill No. 64—Making an appropriation to pay expenses incurred at the State Forestry Station at Chico	374 45
5,	Assembly Bill No. 514—Appropriating money for the payment of claims against the State arising in the County of Tehama, for coyote scalps	3,710 00
5,	Assembly Bill No. 262—Claim of Ed E. Leake	1,000 00
6,	Assembly Bill No. 207—To provide for the erection of additional buildings for the use of the State Normal School at Chico, etc.	25,000 00
6,	Assembly Bill No. 532—To provide for the location, construction, and maintenance of a State highway from San Jacinto to connect with highway system of San Diego County	69,000 00
6,	Assembly Bill No 584—To provide for the location, construction, and maintenance of a State highway from the residence of Buckley to Kennedy's Tunnel	10,000 00
6,	Assembly Bill No. 243—Appropriating $50,000 for the maintenance of San Francisco State Normal School	50,000 00
6,	Assembly Bill No. 437—Claim of William Cronan	5,454 85
6,	Assembly Bill No. 65—To amend Section 1 of an Act, approved March 20, 1899, amending certain other Acts, appropriating money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, etc.	
6,	Senate Bill No. 161—To purchase additional land for Sutter's Fort	20,000 00
6,	Senate Bill No 204—To pay salaries and expenses of employés of Commissioner of Public Works, fifty-first fiscal year	3,295 48
6,	Substitute for Senate Bill No. 167—Making an appropriation for the erection of monuments at the graves of Hon. E. G Waite et al.	2,500 00
7,	Substitute for Senate Bill No. 38—To purchase lumber and fencing material for Preston School of Industry	1,500 00
7,	Assembly Bill No. 340—Appropriating $7,000 for the construction of storm-water drains at Southern California State Hospital	7,000 00
7,	Assembly Bill No. 341—To provide for certain improvements in Southern California State Hospital	20,000 00
7,	Assembly Bill No. 342—To provide for certain improvements in Southern California State Hospital	40,000 00
7,	Assembly Bill No 343—To provide for certain improvements in Southern California State Hospital	92,000 00
7,	Assembly Bill No. 344—To provide for certain improvements in Southern California State Hospital	2,500 00
7,	Assembly Bill No. 526—To pay the claim of Louise Rienzi	1,566 67
7,	Assembly Bill No. 624—To pay the claim of B. A. Johnson	211 61
7,	Senate Bill No 289—To declare the Sonora and Big Meadows Wagon Road a State highway	
8,	Assembly Bill No. 470—To pay the claim of Howard M. Sitton	1,856 78
8,	Senate Bill No. 14—To amend Section 1 of an Act, approved March 20, 1899, amending certain other Acts, appropriating money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, etc.	
8,	Senate Bill No. 102—To establish California Polytechnic School in San Luis Obispo County	50,000 00
8,	Senate Bill No. 259—To pay the claim of J. E. Edson	1,300 00
	Bills Introduced by this Committee.	
4,	Assembly Bill No. 627—Making an appropriation to pay the deficiency in appropriation for costs and expenses of suits for violation of fish and game laws for the fifty-first and fifty-second fiscal years	904 04
6,	Assembly Bill No 656—Making an appropriation for the contingent expenses of the Assembly for the thirty-fourth session	20,000 00
		$1,785,264 45

Bills Reported Favorably.

Feb. 6,	Assembly Bill No. 52	$1,957 01
4,	Assembly Bill No. 28	800 00
Jan. 31,	Assembly Bill No. 124	35,000 00
Feb. 4,	Assembly Bill No. 268	250 00
Jan. 30,	Senate Bill No. 47	4,025 79
30,	Senate Bill No 48	9,958 03
30,	Senate Bill No. 48	5,000 00
30,	Senate Bill No. 45	1,050 00
28,	Assembly Bill No. 279	300 00
30,	Assembly Bill No. 312	300 00
30,	Assembly Bill No 350	4,930 65
28,	Assembly Bill No. 369	300 00
28,	Assembly Bill No. 19	1,015 00
28,	Assembly Bill No. 443	13,000 00
Feb. 5,	Assembly Bill No. 229	67,000 00
Jan. 31,	Committee Substitute for Senate Bill No 127	150,000 00
Feb. 5,	Committee Substitute for Senate Bill No. 154	23,250 00
4,	Assembly Bill No. 281	
7,	Assembly Bill No 249	85,000 00
7,	Assembly Bill No. 261	3,295 48
6,	Assembly Bill No. 269	1,500 00
4,	Senate Bill No 160	11,675 82
5,	Assembly Bill No. 368	47 75
5,	Assembly Bill No. 43	250 00
4,	Assembly Bill No 80	10,000 00
7,	Assembly Bill No. 292	75 68
5,	Assembly Bill No. 384	87 32
5,	Assembly Bill No. 426	80 00
5,	Assembly Bill No. 447	404 45
6,	Assembly Bill No 503	750 00
4,	Senate Bill No 37	500 00
5,	Senate Bill No 52	256 75
4,	Assembly Bill No. 627	904 04
5,	Assembly Bill No. 262	1,000 00
7,	Assembly Bill No. 437	5,454 85
5,	Senate Bill No 64	374 45
8,	Senate Bill No 204	3,295 48
7,	Senate Bill No. 38	800 00
6,	Assembly Bill No 656	20,000 00
8,	Senate Bill No. 259	1,500 00
		$465,388 55

Bills Reported Unfavorably.

Feb. 5,	Assembly Bill No 62	$20,000 00
7,	Assembly Bill No. 258	36,000 00
4,	Committee Substitute for Assembly Bill No. 516	30,000 00
7,	Assembly Bill No. 220	250,000 00
5,	Assembly Bill No. 27	5,000 00
5,	Assembly Bill No. 288	50,000 00
		$391,000 00

Bills Reported Without Recommendation.

Feb 4,	Assembly Bill No. 104	$374 45
5,	Assembly Bill No. 87	3,046 75
8,	Assembly Bill No. 209	8,111 15
8,	Assembly Bill No. 218	3,000 00
8,	Assembly Bill No. 472	25 000 00
6,	Assembly Bill No 130	10,000 00
6,	Assembly Bill No. 382	1,000 00
6,	Assembly Bill No. 487	15,000 00
		$65,532 35

Bills Improperly Referred to this Committee and Returned.

Jan. 31,	Assembly Bill No. 435	
Feb. 5,	Assembly Bill No 347	
7,	Senate Bill No 289	

Bills Withdrawn.

Feb. 5,	Assembly Bill No. 57	$2,000 00
4,	Assembly Bill No. 45	187 00
4,	Assembly Bill No. 29	500 00
Jan. 31,	Assembly Bill No. 46	150,000 00

Feb. 5,	Assembly Bill No. 463	$26,450 00
5,	Assembly Bill No. 273	256 75
8,	Assembly Bill No. 243	50,000 00
		$229,393 75

Recapitulation.

Total appropriations referred to this committee to date	$2,222,068 16
Total appropriations reported favorably	481,024 43
Total appropriations reported unfavorably	391,000 00
Total appropriations reported without recommendation	65,532 35
Total appropriations reported with the recommendation that they be withdrawn	229,393 75
Total appropriation remaining in the hands of the committee	1,055,117 63

Respectfully submitted.

FISK, Chairman.

Ordered printed in Journal.

PETITION—(OUT OF ORDER).

SANGER, CAL., February 5, 1901.

To the Honorable the Members of the California Legislature:

We, the undersigned residents and taxpayers of Sanger, do most respectfully petition your honorable body to enact a State law empowering the Boards of Supervisors of their respective counties to pass and enforce a curfew law forbidding minors under the age of eighteen on the streets or alleys of any town, village, or hamlet after eight o'clock P M, unless accompanied by parents or guardians.

W. L Wilson, millman; T. B. Donan, merchant, J. M. Richmond, pastor M E Church; B. M. Hopper, teacher high school; J. W. Palmer, principal high school; J J. Duvall, principal grammar school, Margaret Wear, teacher grammar school; Ida M. Bacon, teacher grammar school; Ella Shaw, teacher grammar school, M McLeran, teacher grammar school; M. L. Clow; Aug. Gaudrau, barber; H. Dirvin, barber; and thirty-eight others.

Ordered printed in the Journal, and referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1901

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 310—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written—report the same back, by a majority vote, without recommendation.

Also: Assembly Bill No. 73—An Act to amend Section 144 of the Code of Civil Procedure—report the same back, by a majority vote, and recommend that it do pass.

Also: Assembly Bill No 74—An Act concerning the attendance and service of experts in criminal cases, and to provide payment for such attendance and services—report the same back with recommendation that it do not pass

Also: Assembly Bill No 511—An Act to amend Section 542 of the Code of Civil Procedure of the State of California, relative to attachments of real property—report the same back, by a majority vote, and recommend that it do not pass

Also. Assembly Bill No 305—An Act to amend Section 635 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—report the same back with the recommendation that it do not pass

JOHNSON, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing and modifying and reapportionment and reassessment of assessments under said Act, and relating to

appeals from reassessment and assessments thereunder and remonstrances against such assessments and reassessments, and against the improvements under said Act.

Assembly Bill No. 331—An Act to amend Section 374 of an Act to establish a Penal Code.

Assembly Bill No. 393—An Act to amend Sections 612 and 616 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872.

Assembly Bill No. 493—An Act to declare the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "Foot of the Confidence Grade," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Assembly Bill No. 497—An Act to amend Section 1 of "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," approved March 31, 1897.

Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry

BERRY, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No 146—An Act to amend Section 690 of the Code of Civil Procedure, relating to property exempt from execution.

And was presented to the Governor this day at ten o'clock and ten minutes A. M.

FRANKLIN, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property—have had the same under consideration, and respectfully report the same back, with twelve amendments, and recommend that it do pass as amended.

Also Assembly Constitutional Amendment No 22—Relative to amending Article XIV, relating to water and water rights—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No 489—An Act to add a new section, to be known as Section 15½, and to amend Sections 14, 21, 22, 26, 28, and 57 of an Act entitled "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," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also. Assembly Bill No. 113—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 the Act," approved March 25, 1895, by amending Section 1 of said foregoing Act, as the same was amended by Act of the Legislature, approved March 31, 1897—have had the same under consideration, and respectfully request that the same be withdrawn by author.

Also: Assembly Bill No. 301—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.

Also: Assembly Bill No. 380—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 district and property owners therein.

Also: Assembly Bill No 389—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Have had the same under consideration, and respectfully report the same back without recommendation.

MILICE, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. R. STEWART, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 11—An Act to amend Sections 1532, 1543, 1545, 1549, 1551, 1552, 1553, 1560, 1561, 1564, 1565, 1577, 1578, 1581, 1583, 1593, 1615, 1617, 1621, 1622, 1623, 1650, 1667, 1697, 1713, 1714, 1768, 1817, 1818, 1819, 1830, 1858, 1875, and 1882 of the Political Code of the State of California, relating to the public schools—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended

GANS, Chairman.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

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

By Mr. Radcliff: Assembly Bill No. 692—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Roberts: Assembly Bill No. 693—An Act to amend 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.

Also: Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway, connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Myers: Assembly Bill No. 695—An Act to amend Section 4046 of the Political Code by adding a new subdivision to said section, to be numbered 27.

Read first time, and referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 696—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof.

Read first time, and referred to Committee on Agriculture.

By Mr. Broughton: Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

Also: Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

Also: Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School,

located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

Also: Assembly Bill No. 700 —An Act to provide for the building of a blacksmith shop, wood-working and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

By Mr. Carter: Assembly Bill No. 701—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read first time, and referred to Committee on Census and Apportionment.

By Mr. Johnson: Assembly Bill No. 702—An Act to amend Sections 3462 and 3463 of the Political Code.

Read first time, and referred to Committee on Judiciary.

By Mr. Hanen: Assembly Bill No. 703—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Sheridan: Assembly Bill No. 704—An Act establishing State and County Boards of Deposits, to define the duties thereof, and authorizing the establishment of depositories of public moneys.

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

MOTION.

Mr. Bauer moved that Senate Bill No. 268 be recalled from Committee on Claims and substituted for Assembly Bill No. 43 (161 on file), they being identical bills.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State Hospitals in this State, having visited the Stockton State Hospital, situated in San Joaquin County, and the Home of Adult Blind at Oakland, in Alameda County, herewith present their bill of expenses of the trip, as follows:

Radcliff	$30 00
Dunlap	30 00
Cowan	30 00
Schilig	30 00
Bennink	30 00
Webber	30 00
Macbeth	30 00
Henry	30 00
Guilfoyle	30 00
Miller	30 00
Wright	30 00
Chambers, clerk	30 00
Total	$360 00

And ask for the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of

G. G. Radcliff, acting chairman of the Committee on State Hospitals and Asylums, for the sum of $360, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Mileage.

MOTIONS.

Mr. Fisk moved to reconsider the vote whereby Assembly Bill No. 58 was refused passage, notice of reconsideration having been given.

Mr. Johnson moved to make said reconsideration special order for next Wednesday.

So ordered.

SPECIAL ORDER.

Resolution by Mr. Melick:

Resolved, That the Superintendent of State Printing be instructed to print 2,000 copies of Bulletin No. 19 of the State Mining Bureau, pertaining to the oil and gas yielding formations of California, the same to be paid for out of the Contingent Fund of the Assembly.

Resolution read and adopted.

UNFINISHED BUSINESS.

The consideration of the Governor's veto to Assembly Bill No. 88 was called up.

Mr. Atherton moved to lay the matter over until Thursday, February 14, 1901.

So ordered.

Assembly Bill No. 45 withdrawn by author.

SUSPENSION OF RULES.

Mr. James moved that the rules be suspended and Assembly Bill No. 111 now considered.

So ordered.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice and the practice of attorneys and counselors-at-law in the courts of this State.

Read third time.

Mr. James moved that a select committee of one be appointed to amend amended Assembly Bill No. 111 as follows:

In line fourteen, Section 2 of printed bill, strike out the dash and the words "months in each year of."

Also: Strike out in lines twelve and thirteen, Section 1 of printed amended bill, the words "were on the first day of January, nineteen hundred and one," and insert in lieu thereof the words "when this Act takes effect are"

Also: Strike out in line fourteen of Section 1 of printed amended bill the word "was," and insert in lieu thereof the word "is."

Motion carried, and it was so ordered.

Mr. James was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the

admission to practice and the practice of attorneys and counselors-at-law in the courts of this State—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JAMES, Committee.

Assembly Bill No. 111 ordered to print, reengrossment, and on file for passage.

MOTIONS.

Mr. Carter moved that the Assembly do now consider second-reading file.

So ordered.

Mr. Kelley moved that Assembly Bill No. 14 be recalled from the Governor for the purpose of correction.

So ordered.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Johnson to the chair.

Mr. Carter moved that Assembly Bill No. 447 be substituted for Assembly Bill No. 193 (130 on file).

So ordered.

SECOND-READING FILE.

Assembly Bill No. 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

Read second time.

Mr. Carter moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 447.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 447 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge—and do now report the same back, with amendments, and recommend that the same do pass as amended

JOHNSON, Chairman

Report adopted.

The following committee amendments were submitted:

AMENDMENT No 1.

Amend by striking out the words "three hundred fifty-five dollars and twenty," in line one, first page, printed bill, and inserting in lieu thereof the words "four hundred and four and forty-five."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting the words "W. A. Hammel, forty-nine dollars and twenty-five cents," after the word "cents," in line eight, first page, printed bill.

Amendment adopted.

Assembly Bill No 447 ordered to print, engrossment, and third reading.

Assembly Bill No. 516 passed on file.

Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 249.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 249 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

JOHNSON, Chairman.

Report adopted.

The following committee amendments to Assembly Bill No. 249 were submitted:

Amend Section 1, line four, page one, printed bill, by striking out the words "obtaining the right of way for."

Also: Amend Section 2, line eight, page two, printed bill, by striking out the word "county," and inserting in lieu thereof the word "country."

Also: Amend Section 3, lines two and three, page two, printed bill, by striking out the words and figures "five thousand dollars ($5,000) is made available immediately," and inserting in lieu thereof the words and figures "thirty thousand dollars ($30,000) is made available on and after the first day of January, A. D. 1902."

Also: Amend Section 3, lines four and five, page two, printed bill, by striking out the words "forty thousand dollars shall be made available at the beginning of the fifty-third fiscal year," and inserting in lieu thereof the words and figures "thirty thousand dollars ($30,000) is made available on and after the first day of January, A. D. 1903."

Also: Amend Section 3, lines six and seven, page two, printed bill, by striking out the words and figures "forty thousand dollars ($40,000) shall be made available at the beginning of the fifty-fourth fiscal year," and inserting in lieu thereof the words and figures "twenty-five thousand dollars ($25,000) is made available on and after the first day of January, A. D. 1904."

Amendments adopted.

Assembly Bill No. 249 ordered to print, engrossment, and third reading.

Assembly Bill No. 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

Read second time.

Mr. Sutro moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 261.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 261 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made—and do now report the same back, and recommend that the same do pass

JOHNSON, Chairman.

Report adopted.

Assembly Bill No. 261 ordered to engrossment and third reading.

Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Read second time.

Mr. Bauer moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 503.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 503 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest—and do now report the same back, and recommend that the same do pass.

JOHNSON, Chairman.

Report adopted.

Assembly Bill No. 503 ordered to engrossment and third reading.

Assembly Bill No 386—An Act to amend Sections 296 and 297 of the Civil Code of California, and adding a new section to the said Civil Code, to be known and numbered as Section 296*a*, prescribing the duties of the Secretary of State relative to filing articles of incorporation, and to prevent duplicating names.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out all after the enacting clause, and insert in lieu thereof as follows:

"SECTION 1 Section two hundred and ninety-six of the Civil Code is hereby amended so as to read as follows viz:

"Section 296 Upon filing the articles of incorporation in the office of the County Clerk of the county in which the principal business of the company is to be transacted, and a copy thereof certified by the County Clerk with the Secretary of State, and the affidavit mentioned in the last section where such affidavit is required, the Secretary of State must issue to the corporation, over the Great Seal of the State, a certificate that a copy of the articles containing the required statement of facts has been filed in his office, and thereupon the person signing the articles and their associates and successors shall be a body politic and corporate by the name stated in the certificate, and for the term of fifty years, unless it is, in the articles of incorporation, otherwise stated, or in this Code otherwise specially provided: *provided, however*, that the Secretary of State shall not file any copy of the copy of any articles, or issue any certificate of incorporation to any corporation, which articles set forth the corporate name of any corporation heretofore organized in this State, or file any copy of any articles, or issue any certificate of incorporation to any corporation existing at the time of filing such articles, which articles

set forth a name so closely resembling the name of such corporation as will tend to deceive.

"SEC. 2. This Act shall take effect and be in force from and after its passage."

Amendment adopted.

AMENDMENT NO. 2.

Amend the title by striking out the entire title, and inserting in lieu thereof the following: "An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation."

Amendment adopted.

Assembly Bill No. 386 ordered to print, engrossment, and third reading.

Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for cost of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 292.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 292 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 292—An Act to provide for the payment of P. W Forbes for cost of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

JOHNSON, Chairman.

Report adopted.

The following committee amendments were submitted:

AMENDMENT NO. 1.

Amend by striking out the words "eighty-five dollars and seventy-five," in line one, page one, printed bill, and inserting in lieu thereof the following: "Seventy-five dollars and sixty-eight."

Amendment adopted.

AMENDMENT NO. 2.

Amend by striking out the words "eighty-five dollars and seventy-five," in line three, Section 2 page one, printed bill, and inserting in lieu thereof the following: "seventy-five dollars and sixty-eight."

Amendment adopted.

Assembly Bill No. 292 ordered to print, engrossment, and third reading.

Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the treaty of Cahuenga was made, and appropriating money therefor.

Read second time.

Mr. Sutro moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 382.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 382 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the treaty of Cahuenga was made. and appropriating money therefor—and do now report the same back, and recommend that the same do pass.

JOHNSON, Chairman.

Report adopted.

Assembly Bill No. 382 ordered to engrossment and third reading.

Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Read second time.

Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J. Elder for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bills Nos. 384 and 426.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bills Nos. 384 and 426 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 384—An Act making an appropriation to pay the claim of A I McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Also: Assembly Bill No 426—An Act making an appropriation to pay the claim of William J. Elder, for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

And do now report the same back, and recommend that they do pass, except that Assembly Bill No. 384 do pass as amended.

JOHNSON, Chairman

Report adopted.

Assembly Bill No. 426 ordered to engrossment and third reading.

Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 384 ordered to print, engrossment, and third reading.

Assembly Bill No. 498—An Act to amend Sections 1917, 1918, 1936, 1939, 1962, 1930, 1984, 2009, 2076, 2077, and 2105, to repeal Section 1990, and to add new sections, to be known and numbered as Sections 1973*a*, 2106, all of and to the Political Code of the State of California, relating to the National Guard.

At request of author, re-referred to Committee on Military Affairs.

Assembly Bill No. 347—An Act to create the office of Sheep Inspector for the State of California, to provide for the appointment, and to define the powers and duties of said officer and his deputies and their compensation, and providing for the prosecution of offenses under the same, and to suppress and prevent dissemination of scab among sheep.

Read second time.

The following committee amendment was submitted:

Amend by striking out the word "eight," in line five, Section 8, page four, original bill, and inserting in lieu thereof the word "six"

Amendment adopted.

Assembly Bill No. 347 ordered to print, engrossment, and third reading.

Assembly Bill No. 93—An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 587—An Act to amend Section 1492, 1494, and 1495 of the Political Code of the State of California, relating to State normal schools.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 539—An Act to amend an Act entitled "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, approved March 31, 1897, by adding a new section thereto, to be known as Section 4½.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 453—An Act to protect the manufacturing industries of this State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 332—An Act to prevent the spread of infectious and contagious diseases among poultry.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words "chickens, turkeys, ducks, or geese," in line two of the printed bill, and insert in lieu thereof the words "chicken, turkey, duck, or goose."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "diseases exist," in line four of the printed bill, and insert in lieu thereof the words "disease exists."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "chickens," in line four of the printed bill, and insert in lieu thereof the word "chicken."

Amendment adopted.

AMENDMENT No. 4.

Strike out the title and insert in lieu thereof the words "An Act to add a new section to the Penal Code, to be numbered 402¾."

Amendment adopted.

AMENDMENT No. 5.

After the word and figure "Section 1," in line one of the printed bill, insert the words and figures "A new section is hereby added to the Penal Code, to be numbered 402¾, and to read as follows: Section 402¾."

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out the words "chickens," "turkeys," "ducks," "geese," "diseases," "exist," and "chickens," in lines one, two, three, and four, first page, original bill, and inserting in lieu thereof the following: "chicken," "turkey," "duck," "goose," "disease," "exists," and "chicken."

Amendment lost.

Assembly Bill No. 332 ordered to print, engrossment, and third reading.

Assembly Bill No. 486—An Act to authorize suits against the State concerning certain real property and regulating the procedure therein.

Read second time.

The following committee amendment was submitted:

Strike out the words "the Superior Court of the City and County of San Francisco," in lines sixteen and seventeen, Section 1, printed bill, and insert in lieu thereof the words "any court of competent jurisdiction within said State."

Assembly Bill No. 486 ordered to print, engrossment, and third reading.

Assembly Bill No. 76—An Act for the payment of jurors' fees in criminal cases in the Superior Courts.

Read second time.

The following committee amendment was submitted:

Strike out the entire bill, and insert in lieu thereof as follows, viz:

"AN ACT

"To amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 1143, relative to the payment of jurors' fees.

"*The People of the State of California, represented in Senate and Assembly, do enact as follows*

"SECTION 1. A new section is hereby added to the Penal Code of the State of California, to be numbered section eleven hundred and forty-three, and to read as follows:

"1143. The fees of jurors in the Superior Courts of the State in criminal cases shall be two dollars in lawful money of the United States for each day's attendance, and mileage to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only.

"Such fees and mileage shall be paid by the Treasurer of the county, or city and county, in which the juror's services were rendered, out of the General Fund of said county, or city and county, upon warrants drawn by the County Auditor upon the written order of the judge of the court in which said juror was in attendance, and the Treasurer of said county, or city and county, shall pay said warrants.

"The Board of Supervisors of each county, or city and county, is hereby directed to make suitable appropriation for the payment of the fees herein provided for.

"SEC. 2. This Act shall take effect July first, nineteen hundred and one."

Amendment adopted.

Assembly Bill No. 76 ordered to print, engrossment, and third reading.

NOTICE OF RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 453 was given second reading.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 571—An Act to authorize any taxpayer to bring an action on his relation in the name of the State to abate any public nuisance in any way affecting him, or his family, or his property.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word and figure "Section 1," in line one of Section 1 of the printed bill, insert the words and figures as follows: "A new section is hereby added to the Code of Civil Procedure, to be known and numbered 391, and to read as follows: Section 391 "

Amendment adopted.

AMENDMENT No. 2.

Strike out the word and figure "Sec. 2," in line one of Section 2 of the printed bill.

Amendment adopted.

AMENDMENT No 3.

Strike out the words "in section one," of line one of Section 2 of the printed bill, and insert in lieu thereof the word "hereby."

Amendment adopted.

AMENDMENT No. 4.

Strike out Section 3.

Amendment adopted.

AMENDMENT No. 5.

Amend the title by striking out all after the words "An Act," and inserting in lieu thereof the words "to add a new section to the Code of Civil Procedure, to be known and numbered Section 391."

Amendment adopted.

Assembly Bill No. 571 ordered to print, engrossment, and third reading.

Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding the words "payable in the same manner as are other State officers," after the word "annum," in line eight, first page, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by adding the words "payable in the same manner as are the salaries of other State officers," after the word "annum," in line eight, Section 2, first page, printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "and state whether in his opinion the accident was due to negligence of the owner or person in charge," in line ten, Section 6, third page. printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend by adding the words "together with such other witnesses as such Coroner or other officer may deem necessary," after the word "designate," in line fifteen, Section 6, third page, printed bill.

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out lines eighteen to twenty-six, inclusive, in Section 6, fourth page, printed bill.

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out the word "their," in line two, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "his."

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out the word "terms," in line two, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "term."

Amendment adopted.

AMENDMENT No. 8.

Amend by striking out the word "they," in line three, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "he."

Amendment adopted.

AMENDMENT No. 9

Amend by striking out the word "they," in line six, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "he."

Amendment adopted.

AMENDMENT No. 10.

Amend by striking out the word "their," in line six, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "his."

Amendment adopted.

AMENDMENT No. 11.

After the word "any," in line three, Section 7, fourth page, printed bill, insert the words "person or."

Amendment adopted.

AMENDMENT No. 12.

Amend by striking out the word "and," in line four, Section 7, fourth page, printed bill, and inserting in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No 13.

After the word "not," in line three, Section 7, fourth page, printed bill, insert the words "at any time."

Amendment adopted.

AMENDMENT No. 14.

Amend by adding after the word "duties," in line six, Section 7, fourth page, printed bill, the following: "If the said inspectors, or either of them, shall reveal any information to any person or persons in regard to the ore bodies, shoots, or deposits of ore, or location, course, or character of underground workings, or give any information or opinions respecting any mine obtained by them or either of them in making such inspection, except in the way of official reports, filed for record, as by this Act proposed, on conviction thereof he or they shall be removed from office and fined in a sum not less than $1,000 or more than $5,000, to be recovered by action on his official bond."

Amendment adopted.

AMENDMENT No. 15.

Strike out lines eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four in Section 5 of the printed bill.

Strike out the semicolon at the end of line seventeen of Section 5 of the printed bill, and insert in lieu thereof a period.

Amendment adopted.

Assembly Bill No. 216 ordered to print, engrossment, and third reading.

Assembly Bill No. 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation, and the consumers of such water.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 570—An Act to amend Section 379 of the Code of Civil Procedure.

Read second time, ordered to engrossment and third reading.

Mr. Greer moved that Assembly Bill No. 453 be re-referred to Committee on Judiciary, to codify the bill.

Motion lost.

Assembly Bill No. 572—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known as Section 680.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 527—An Act to amend Section 963 of the Code of Civil Procedure.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 590—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, by adding thereto after the figures "180" the letter "a," relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc.

Read second time.

The following committee amendment was submitted:

Amend the title by striking therefrom the words "by adding thereto after the figures '180' the letter 'a,' relating to the bringing," and inserting in lieu thereof the words "relating to the bringing."

Amendment adopted.

Assembly Bill No. 588 ordered to print, engrossment, and third reading.

Assembly Bill No. 554—An Act to amend Section 896 of the Penal Code, relating to challenges to an individual grand juror.

Read second time.

The following committee amendment was submitted:

After the word "does," in line six of the printed bill, insert the word "not."

Amendment adopted.

Assembly Bill No. 554 ordered to print, engrossment, and third reading.

Assembly Bill No. 434—An Act to amend Section 5 of the Penal Code, relating to crimes and penalties.

Read second time, ordered to engrossment and third reading.

RECESS.

At twelve o'clock and twenty-seven minutes P. M., on motion of Mr. Schlesinger, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Pendleton in the chair.
Quorum present.

SENATE SPECIAL FILE.

Committee Substitute for Senate Bill No. 154—An Act making an appropriation to pay for printing, binding, and ruling and all other work performed and materials furnished by the State Printing Office to the various State offices, boards, commissions, prisons, schools, hospitals, and other State institutions for the remainder of the fifty-second fiscal year.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Carter, Chandler, Chiles, Cowan, Cromwell, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, James, Johnson, Kincaid, Levinson, Melick, Miller, Myers, Ralston, Ray, Roberts, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 66—An Act to amend Section 1261 of the Political Code, relating to election returns.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Williams—46.

NOES—None.

Title read and approved.

Senate Bill No. 267—An Act to amend Section 1 of an Act entitled "An Act relating to mutual beneficial and relief associations," approved March 28, 1874.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 24—An Act granting to the trustees of the Leland Stanford Junior University corporate powers and privileges.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Senate Bill No. 2—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Schillig, Schlesinger, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—49.
NOES—Messrs. Henry, and Stewart of Amador—2.

Title read and approved.

Senate Bill No. 52—An Act to provide for the payment of the claim of John E. Raker, District Attorney of Modoc County, for costs in foreclosing delinquent purchasers of State school land, and making an appropriation therefor.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—48.
NOES—None.

Title read and approved.

Senate Bill No. 141—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 third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—45.
NOES—None.

Title read and approved.

MOTIONS.

Mr. Carter moved to reconsider the vote whereby Assembly Bill No. 453 was refused re-reference to Committee on Judiciary.

Mr. Anderson of Solano moved as a substitute that Assembly Bill No. 453 be re-referred to Committee on Judiciary, said committee to make such recommendations as they deem proper.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 240—An Act amending Section 3658 and repealing

Section 3764 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read second time, and ordered to third reading.

Senate Bill No. 42—An Act to add a new section to the Penal Code, to be numbered 499½, relating to the stealing of electric current and the injuring of electric wires or appliances, and providing the punishment therefor.

Read second time, and ordered to third reading.

Senate Bill No. 35—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "and," in line ten of the printed bill, and insert in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No. 2.

After the word "five," in line fifteen of the printed bill, insert the words "not exceeding five hundred dollars."

Amendment adopted.

AMENDMENT No. 3.

After the word "jail," in line fifteen of the printed bill, insert the words "not exceeding one year."

Amendment adopted.

Senate Bill No. 35 ordered to print and third reading.

Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court and their salaries.

Read second time.

Senate Bill No. 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Read second time.

The following committee amendment was submitted:

Insert after the word "fines," in line six of Section 2 of the printed bill, the words and forfeitures."

Amendment adopted.

Senate Bill No. 122 ordered to print and third reading.

Senate Bill No. 125—An Act to amend Chapter III of Title II of Part II of the Code of Civil Procedure of the State of California by adding a section thereto, to be known as Section 349, relating to the time of commencing actions to contest assessments under the "Local Improvement Act of 1901."

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts,

Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—47.
NOES—None.

Title read and approved.

Senate Bill No. 126—An Act to provide for local improvements upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within the municipality, such Act to be known as the "Local Improvement Act of 1901."

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Chandler, Collins, Cowan, Cromwell, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Levinson, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—43.
NOES—None.

Title read and approved.

Senate Bill No. 289—An Act to declare the Sonora and Big Meadows Wagon Road, commencing at Sonora, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Read second time.

Mr. Anderson of Solano submitted the following amendment:

Amend by inserting after the word "highway," in line five, Section 1, "*provided*, that no State funds shall be appropriated for the maintenance of same"

Amendment adopted.

Senate Bill No. 289 ordered to print and third reading.

Senate Bill No. 59—An Act to amend Sections 1637 and 1638 of Chapter III, Title III, Part III of the Political Code, relating to the school law of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Collins, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Miller, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—43
NOES—None.

Title read and approved.

Senate Bill No. 206—An Act making an appropriation to pay the claim of A. L. Wood for $300, being a reward offered for the arrest and conviction of Francisco Torres.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cromwell, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick Merritt, Miller, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Webber, Williams, and Mr. Speaker—45.
NOES—None.

Title read and approved.

Senate Bill No. 291—An Act to amend Section 1609 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read second time, and ordered to third reading.

Senate Bill No. 292—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, for the sale of property in such actions, and for the making of deeds in such actions.

Read second time, and ordered to third reading.

Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read second time.

The following committee amendment was submitted:

After the words "San Luis Obispo," in line eight of the printed bill, insert the words "Shasta, Siskiyou."

Amendment adopted.

Senate Bill No. 105 ordered to print and third reading.

Senate Bill No. 341—An Act to add a new section to the Penal Code, to be numbered 246, defining the offense of malicious assault with a deadly weapon or instrument by a person confined in the State Prison under life sentence, and prescribing the punishment therefor.

Read second time, and ordered to third reading

Senate Bill No. 279—An Act to amend Section 237 of the Penal Code of California, relating to the punishment for false imprisonment.

Read second time, and ordered to third reading.

Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

Read second time, and ordered to third reading.

Senate Bill No. 180—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Read second time, and ordered to third reading.

Senate Bill No. 123—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.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting on page two, line forty-eight of the printed bill, after the word "otherwise," the following: "*provided*, that any license taxes collected under a city ordinance shall be collected by the city or town marshal, and paid into the city or town treasury for the use of the city or town in which it is collected."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out on page three, line seventy-eight of the printed bill, the word "buildings," and inserting in lieu thereof the word "building."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out on page three, line seventy-eight of the printed bill, the word "constructions," and inserting in lieu thereof the word "construction."

Amendment adopted.

Senate Bill No. 123 ordered to print and third reading.

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

Read second time.

The following committee amendments were submitted.

AMENDMENT No. 1.

Amend Section 7, line thirteen of the printed bill, by striking out the words "be not less than one quarter," and inserting in lieu thereof the words "not exceed one."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 7, line fifteen of the printed bill, by striking out the words "be not less than one half mill," and inserting in lieu thereof the words "not exceed two mills."

Amendment adopted.

Senate Bill No. 115 ordered to print and third reading.

Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Read second time, and ordered to third reading.

Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E. Edson.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a 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 Pendleton in the chair.

Senate Bill No. 259 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E. Edson—and do now report the same back, and recommend that the same do pass

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 259 ordered to third reading.

Senate Bill No. 201—An Act to define and establish a portion of the eastern boundary of the State of California.

Read second time, and ordered to third reading.

MOTION.

Mr. Higby moved that Assembly Bill No. 580 be recalled from the Committee on Judiciary and re-referred to Committee on Fish and Game.

Motion lost.

SPECIAL FILE.

Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Chandler, Chiles, Clarke, Collins, Cromwell, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick, Milice, Myers, Ralston, Ray, Roberts, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—44.
NOES—None.

Title read and approved.

Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, Johnson, Kelley, Kincaid, Levinson, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr. Speaker—51.
NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 828 to 831*g*, inclusive, relating to actions for divorce

Assembly Bill No. 261—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works for the fifty-first fiscal year, and directing from what source such payment shall be made.

Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest [Recommended by Board of Examiners]

Assembly Bill No 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument and properly mark the spot where the treaty of Cahuenga was made, and appropriating money therefor.

Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J. Elder for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899

Assembly Bill No. 93—An Act to secure to native born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Assembly Bill No 587—An Act to amend Sections 1492, 1494, and 1495 of the Political Code of the State of California, relating to State Normal Schools.

Assembly Bill No. 539—An Act to amend an Act entitled "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," approved March 31, 1897, by adding a new section thereto, to be known as Section 4½.

Assembly Bill No 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas

Assembly Bill No 61—An Act to add a new section to the Political Code, to be known as Section 1890

Assembly Bill No 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation and the consumers of such water

Assembly Bill No. 570—An Act to amend Section 379 of the Code of Civil Procedure.

Assembly Bill No 572—An Act to amend the Penal Code of the State of California by adding a new section thereto to be known as Section 680.

Assembly Bill No. 527—An Act to amend Section 963 of the Code of Civil Procedure.

Assembly Bill No. 590—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incor-

porated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby.

Assembly Bill No. 434—An Act to amend Section 165 of the Penal Code, relating to crimes and penalties.

FRANKLIN, Chairman.

THIRD-READING FILE.

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chiles, Clark, Collins, Cromwell, Fisk, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, James, Johnson, Kincaid, Levinson, McNeil, Merritt, Milice, Miller, Myers, Radcliff, Ray, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Assembly Bill No. 175—An Act to amend Section 880 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kincaid, Levinson, McNeil, Melick, Merritt, Radcliff, Ralston, Ray, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr. Speaker—42.

NOES—None.

Title read and approved.

ADJOURNMENT.

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

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 12, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—68.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Macbeth, Savage, Cowan, Butler, Irving, and Anderson of Santa Clara were granted leave of absence for the day.

PRAYER.

Prayer by the Rev. W. E. Vaughan.

READING OF JOURNAL.

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

APPROVAL OF JOURNALS.

The Journals of Friday, February 8, and Saturday, February 9, 1901, were read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety—report the same back, with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health—report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens, and regulating the provisions to be contained in building contracts—report the same back, by majority vote, and recommend that it do pass

Also: Assembly Bill No. 451—An Act to amend Section 1183 of the Code of Civil Procedure of the State of California, relating to the liens of mechanics, laborers, and others upon real property—report the same back with the recommendation that it do pass.

Also: Assembly Bill No 573—An Act to amend Section 3818 of the Political Code, relating to public lands and revenue and taxation—report the same back with the recommendation that it do not pass.

Also: Senate Bill No 200—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—report the same back, by a majority vote, and recommend that it do not pass.

Also: Assembly Constitutional Amendment No 17—Relating to legislative powers—report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 580—An Act supplemental to an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874—report the same back, by a majority vote, and recommend that it do not pass.

Also: Assembly Bill No. 649—An Act to amend Section 703 of the Code of Civil Procedure of the State of California, relating to the redemption of property sold on execution—report the same back, and recommend that it do not pass.

JOHNSON, Chairman.

ON PUBLIC WORKS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred engrossed Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol Grounds at Sacramento—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COLLINS, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER. Your Committee on Irrigation, to whom was referred Assembly Bill No. 651—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 respect-

fully report the same back, and recommend that it be referred to Committee on Swamp and Overflowed Lands and River Improvements.

MILICE, Chairman.

Assembly Bill No. 651 ordered re-referred to Committee on Swamp and Overflowed Lands and River Improvements.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for the sum of $117 83, the same being for one half the expenses attending the Electoral College exercises held in the Assembly Chamber on the 14th day of January, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISK, Chairman.

Resolution read and adopted.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 682—An Act to establish a State highway over the present county road between the City of Hollister, in San Benito County, and Salinas, in the County of Monterey, and making an appropriation for the improvement, maintenance, and protection thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

MERRITT, Chairman.

ON JUDICIARY—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901

MR. SPEAKER: The undersigned members of the Committee on Judiciary, to whom Assembly Bills Nos. 558 and 559 were referred for consideration, hereby file a minority report, and recommend that said bills do not pass.

H. W. BROWN.
F. P. FELIZ.
FRANK JAMES.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 116—An Act to add a new section to the Penal Code of the State of California, to be numbered ——, relating to the preservation of game in national parks in the State of California—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 612—An Act for the protection of inclosed and cultivated lands in the State of California, and to prevent persons entering thereon with firearms, or dogs, for the purpose of hunting, pursuing, shooting, or killing game, and to repeal all Acts in conflict therewith—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Report "An Act creating the office of Game Commissioner, and defining his duties"—have had the same under consideration, and recommend that it do pass

HIGBY, Chairman

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Fish and Game: Assembly Bill No. 705—An Act creating the office of Game Commissioner, and defining his duties.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 661—An Act to amend an Act entitled "An Act to estab-

lish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

McWADE, Chairman.

SPECIAL ORDERS.

Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

The following amendments were submitted by the Committee on Judiciary·

AMENDMENT No. 1.

After the word "felony," in line ten of Section 2 of the printed bill, insert the words "*provided*, that an official report to any local board of health shall not be deemed a publication."

AMENDMENT No 2.

Strike out the words "or has recently existed," in line seven of Section 2 of the printed bill

MOTIONS.

Pending consideration of amendments, Mr. James moved that Assembly Bill No. 558, together with pending amendments, be postponed until to-morrow.

Mr. Schlesinger moved to amend by ordering amendments printed in the Journal.

Mr. James accepted the amendment.

Roll call was demanded by Messrs. Schlesinger, Collins, and Ray.

The roll was called.

Pending announcement of the result, Mr. Johnson moved a call of the House.

Roll call for call of the House was demanded by Messrs. Collins, Schlesinger, and Ray.

The roll was called, and call of the House ordered by the following vote:

AYES—Messrs Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Irish, Johnson, John, Kelley, Knight, McWade, Melick, Merritt, Milice, Myers, Ralston, Reeber, Rutherford, Stewart of San Diego, Treadwell, Walker, Webber, and Mr. Speaker—35.

NOES—Messrs. Anderson of Solano, Atherton, Berry, Brown of San Mateo, Cavagnaro, Chiles, Collins, Cromwell, Dunlap, Evatt, Feliz, Foster, Irving, James, Kincaid, Levinson, Mattos, McLoughlin, McNeil, Radcliff, Ray, Schlesinger, Simpson, Stewart of Amador, Sutro, and Williams—26

CALL OF THE HOUSE.

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

Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—59.

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

Roll call was demanded by Messrs. James, Collins, and Sutro.

The roll was called, and Mr. Schlesinger's motion lost by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Collins, Cromwell, Dunlap, Evatt, Feliz, Foster, Hanen, Irving, James,

Kincaid, Levinson, Mattos, McLoughlin, McNeil, Melick, Miller, Radcliff, Ray, Roberts, Schlesinger, Simpson, Stewart of Amador, Sutro, Walker, and Williams—32.

NOES—Messrs. Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, McWade, Merritt, Milice, Myers, Ralston, Reeber, Rutherford, Stewart of San Diego, Treadwell, Webber, and Mr. Speaker—34.

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

Carried, and so ordered.

Mr. Johnson moved that the former roll call be wiped out, and a new roll call, in verification, ordered.

Motion carried.

The roll was called in verification of the motion to postpone made by Mr. James, and as amended by Mr. Schlesinger, and the same lost by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Collins, Cromwell, Dunlap, Evatt, Feliz, Foster, Hubbard, Irving, James, Kincaid, Levinson, Mattos, McLoughlin, McNeil, Melick, Miller, Radcliff, Ray, Roberts, Schlesinger, Simpson, Stewart of Amador, Sutro, and Williams—31.

NOES—Messrs. Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Fiske, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, McWade, Merritt, Milice, Myers, Ralston, Reeber, Rutherford, Stewart of San Diego, Treadwell, Walker, Webber, and Mr. Speaker—37.

The question recurring on the amendments offered by the Committee on Judiciary.

Amendments Nos. 1 and 2 were adopted.

The question now recurring on the following amendment submitted by Mr. Melick on February 1, 1901:

Amend by striking out "Section 2."

Pending discussion, the hour for recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reassembled.

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 240—An Act amending Section 3658, and repealing Section 3764 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Radcliff, Ralston, Ray, Rutherford, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, and Williams—48.

NOES—None.

Title read and approved.

At two o'clock and fifteen minutes P. M., the Speaker called Mr. Anderson of Solano to the chair.

Senate Bill No. 42—An Act to add a new section to the Penal Code, to be numbered 499*a*, relating to the stealing of electric current and the

injuring of electric wires or appliances, and providing the punishment therefor.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, and Williams—56.

NOES—None.

Title read and approved.

Senate Bill No. 23—An Act exempting from taxation a portion of the property held in trust for the benefit of the Leland Stanford Junior University.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Hanen, Hasson, Henry, Higby, Hourigan, James, Johnson, John, Kelley, Knight, Levinson, Macbeth, Mattos, Melick, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Walker, and Williams—50.

NOES—Messrs Cavagnaro, Collins, Guilfoyle, Kincaid, McLoughlin, Ray, and Webber—7.

Title read and approved.

RESOLUTION OF RESPECT—(OUT OF ORDER).

By Mr. Johnson:

WHEREAS, This day is the anniversary of the birth of that great American, Abraham Lincoln, whose life more fitly illustrates than any other the possibilities for advancement that attend upon every citizen of this Nation, whose character grows grander and his reputation greater every year, and whose whole career is full of good lessons for all, therefore, be it

Resolved, That when this Assembly adjourns, it be out of respect and esteem for Abraham Lincoln.

Resolution read, and adopted by rising vote.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 59—An Act to amend Sections 1637 and 1638 of Chapter III, Title III, Part III of the Political Code, relating to the school law of the State of California.

Read third time.

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

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Cavagnaro, Chiles, Collins, Dunlap, Evatt, Foster, Franklin, Gans, Hanen, Hasson, Higby, Hourigan, Johnson, Kelley, Knight, Levinson, Macbeth, Mattos, McWade, Melick, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Schlesinger, Stewart of San Diego, Sutro, Walker, and Williams—41.

NOES—Messrs. Atherton, Brown of San Mateo, Chandler, Cromwell, Guilfoyle, Kincaid, Simpson, and Stewart of Amador—8.

Title read and approved.

Senate Bill No. 291—An Act to amend Section 1609 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates, and to compensation of trustees.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Foster, Gans, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Ralston, Ray, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Walker, and Williams—45.

NOES—None.

Title read and approved.

Senate Bill No. 292—An Act to amend Section 726 of the Code of Civil Procedure, relating to actions for the foreclosure of mortgages, for the sale of property in such actions, and for the making of deeds in such actions.

Read third time.

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

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Carter, Cavagnaro, Chandler, Chiles, Clarke, Dunlap, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, and Williams—52.

NOES—None.

Title read and approved.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read second time.

The following amendment was offered by Mr. Johnson:

After the word "roads," in line fifty-six, page three, of the printed bill, insert the words "and flumes."

Amendment adopted.

Mr. Johnson moved that Senate Bill No. 36 retain its place on file pending amendment.

So ordered.

Senate Bill No. 341—An Act to add a new section to the Penal Code, to be numbered 246, defining the offense of malicious assault with a deadly weapon or instrument by a person confined in the State Prison under life sentence, and prescribing the punishment therefor.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Dunlap, Foster, Franklin, Gans, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, McWade, Melick, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, and Williams—49.

NOES—Messrs. Butler, Collins, Feliz, Guilfoyle, McLoughlin, and Merritt—6.

Title read and approved.

At three o'clock and five minutes P. M., the Speaker resumed the chair.

Senate Bill No. 279—An Act to amend Section 237 of the Penal Code of California, relating to the punishment for false imprisonment.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, John,

Kelley, Kincaid, Knight, Levinson, Mattos, McLoughlin, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

Read third time, to retain its place on file.

Senate Bill No. 180—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State.

Read third time.

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

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Dunlap, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Reeber, Roberts, Rutherford, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E. Edson.

Read third time, and passed on file pending final passage.

Senate Bill No. 201—An Act to define and establish a portion of the eastern boundary of the State of California.

Read third time, and passed on file pending final passage.

Senate Bill No. 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 204.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 204 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works for the fifty-first fiscal year, and directing from what source such payment shall be made—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 204 ordered to third reading.

Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read second time, passed, and to retain its place on second-reading file pending amendments.

Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof.

Read second time, and ordered to third reading.

SPECIAL ORDER.

Consideration of Assembly Bill No. 558.

Amendment submitted by Mr. Melick:

Strike out Section 2.

MOTIONS TO ADJOURN.

Mr. Miller moved to adjourn.

Motion lost.

Discussion follows.

Mr. Feliz moved to adjourn.

Roll call was demanded by Messrs. Feliz, Sheridan, and Collins.

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

AYES—Messrs. Atherton, Barnes, Berry, Collins, Feliz, Irving, and Stewart of San Diego—7

NOES—Messrs. Anderson of Solano, Bauer, Bennink, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Clarke, Dunlap, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, McLoughlin, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Reeber, Roberts, Rutherford, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—49.

The question recurring on Mr. Melick's motion to amend.

The previous question was demanded by Messrs. Guilfoyle, Treadwell, and Knight.

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

So ordered.

Roll call was demanded by Messrs. Sutro, Ray, and Sheridan.

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

AYES—Messrs. Anderson of Solano, Atherton, Berry, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Dunlap, Feliz, Foster, Hanen, Higby, Irving, James, Kincaid, Levinson, Mattos, McLoughlin, Melick, Miller, Radcliff, Ray, Roberts, Sheridan, Simpson, Stewart of Amador, Sutro, Walker, and Williams—30.

NOES—Messrs. Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Johnson, John, Kelley, Knight, Macbeth, McWade, Merritt, Ralston, Reeber, Rutherford, Stewart of San Diego, Treadwell, and Mr. Speaker—32.

Assembly Bill No. 558 ordered to print, engrossment, and third reading.

MOTION TO ADJOURN.

Mr. Evatt moved to adjourn.

Roll call was demanded by Messrs. Sutro, Ray, and James.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink Bliss, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Clarke, Cromwell, Dunlap, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, James, Johnson, John, Kelley, Knight, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Roberts, Rutherford, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, and Mr. Speaker—49.

NOES—Messrs Berry, Brown of San Mateo, Chiles, Collins, Feliz, Hanen, Kincaid, Levinson, and Williams—9.

ADJOURNMENT.

Whereupon the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 13, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—70.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Hubbard, McNeil, and Cowan were granted leave of absence for the day, and Mr. Milice until Friday.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson

READING OF JOURNAL.

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

CORRECTION OF JOURNAL.

The Journal of February 11, 1901, was read, corrected, and approved.

UNANIMOUS CONSENT GRANTED.

Mr. Johnson was granted unanimous consent to make a motion out of order.

MOTION.

Mr. Johnson moved that Assembly Bill No. 558 be recalled from Committee on Engrossment and Enrollment and that Assembly Bills Nos. 558 and 559 be made special orders for next Tuesday, and that Assembly Bill No. 558 be placed on second reading, subject to further amendments.

So ordered.

COMMUNICATION.

The Speaker announced the receipt of a communication from the Secretary of State of Oregon, relative to the election of United States Senators by direct vote of the people.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 367—An Act authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Senate Bill No. 682—An Act to establish a State highway over the present county road between the City of Hollister, in San Benito County, and Salinas, in the County of Monterey, and making an appropriation for the improvement, maintenance, and protection thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass

Also: The following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, in favor of W. O Banks, Sergeant-at-Arms of the Assembly, for $39.20, to pay the bill of D. Johnston & Co., as per resolution of January 28, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Assembly Bill No 584—An Act to provide for the location, construction, and maintenance of a State highway commencing at a point in Contra Costa County at or near the residence of W. H. Buckley on the Irish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County, creating the Alameda-Contra Costa Highway Fund; prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

Also: Assembly Bill No 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Also: Assembly Bill No 624—An Act entitled "An Act to appropriate the sum of $211.61 to pay the claim of B. A. Johnson for supplies furnished the National Guard of California during the month of July, 1894."

Also: Assembly Bill No 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

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

Also: Assembly Bill No 125—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

FISK, Chairman.

Report and resolution read and adopted.
Assembly Bill No. 125 withdrawn by author.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 7, 1901.

MR SPEAKER: Your Committee on Public Health and Quarantine beg leave to report that they have visited San Francisco and the Quarantine Station at Angel Island, in accordance with a resolution adopted by the Assembly February 5, 1901, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage.

D. W. Hasson	$19 20
N. K. Foster	19 20
C R. Franklin	19 20
J J Hourigan	19 20
W. J. Evatt	19 20
F. H. Kincaid	19 20
Frank Storer (clerk)	19 20
Total	$134 40

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of D. W. Hasson for the sum of $134.40, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

HASSON, Chairman.

Have had the same under consideration, and recommend that it be amended as follows: Include therein the name of A. A Cavagnaro at $19.20, and that the following resolution be adopted:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of D. W. Hasson for the sum of $153.60, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

Also: The following resolution:

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901

MR. SPEAKER. Your Committee on State Hospitals and Asylums, authorized to visit the various State Hospitals in this State, having visited the Stockton State Hospital, situated in San Joaquin County, and the Home of Adult Blind at Oakland, in Alameda County, herewith present their bill of expenses for the trip, as follows:

Radcliff	$30 00
Dunlap	30 00
Cowan	30 00
Schillig	30 00
Bennink	30 00
Webber	30 00
Macbeth	30 00
Henry	30 00
Guilfoyle	30 00
Miller	30 00
Wright	30 00
Chambers (clerk)	30 00
Total	$360 00

And ask for the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of G. G Radcliff, acting chairman of the Committee on State Hospitals and Asylums, for the sum of $360, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

EVATT, Chairman.

Report and resolution adopted.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901

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

"*Resolved*, That for and by reason of services rendered the Assembly by Ed J. Smith, from January 7th to February 6th, both days inclusive, as an Assistant Clerk, the Controller of State is hereby directed to draw his warrant in favor of said Ed J. Smith for the sum of $186, said sum being at the same per diem as is paid the Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay the said warrant out of the appropriation for the contingent expenses of the Assembly."

Have had the same under consideration, and report the same back, with the recommendation that it be amended to read as follows:

"*Resolved*. That for and by reason of services rendered the Assembly by Ed J. Smith, from January 7th to February 6th, both days inclusive, as an Assistant Clerk, the Controller of State is hereby directed to draw his warrant in favor of said Ed J. Smith for the sum of $186, said sum being at the same per diem as is paid the Assistant Clerks at the desk, and the State Treasurer is hereby directed to pay the said warrant out of the appropriation for the contingent expenses of the Assembly; and it is further

"*Resolved*, That said Ed J. Smith be and he is hereby appointed and employed for the position of Assistant History Clerk of the Assembly, at the same per diem hereinbefore mentioned, said per diem to be paid out of the appropriation for contingent expenses of the Assembly, and said employment to date from and including the 7th day of February, 1901. The State Controller is hereby authorized and directed to draw his warrant from the said fund in favor of said Ed J. Smith for said per diem, and the State Treasurer is hereby authorized and directed to pay the same."

And we recommend that the same be adopted as amended.

G. C BROWN, Chairman.

Report and resolution read.

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

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Collins, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr Speaker—57.

NOES—None

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Bill No. 309—An Act to secure to native-born and naturalized citizens of this State the exclusive right to labor on public works in this State

Also: Assembly Bill No. 567—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Also: Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof.

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

HOURIGAN, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 238—An Act making an appropriation for repairs at the Women's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

RUTHERFORD, Chairman.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Also: Assembly Bill No. 473—An Act to amend Sections 3571 and 3572 of the Political Code, relating to public lands and funds.

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

GREER, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed: Assembly Bill No 76—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 1143, relating to the payment of jurors' fees.

FRANKLIN, Chairman.

ON FEDERAL RELATIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 7—Relative to making upon the Island of Molokai a leper hospital for the care of all lepers within the United States—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman

SENATE JOINT RESOLUTION No. 7.

Resolution as to making upon the Island of Molokai a leper hospital for the care of all lepers within the United States.

WHEREAS, There has been lately annexed to these United States a large island known as Molokai, one of the Hawaiian group; and

WHEREAS, Upon the said Island of Molokai there is a leper hospital devoted entirely to the care and cure of lepers, and which island, on account of its locality and conditions, is peculiarly adapted for such purposes; therefore, be it

Resolved by the Senate and Assembly, jointly, That we hereby recognize the great necessity of having all those afflicted with leprosy confined within and upon the said Island of Molokai, both because of its isolated condition and equable climate; now therefore, be it

Resolved by the Senate and Assembly, jointly, That our Senators in Congress be instructed and our Representatives therein requested to vote for and use all honorable means to secure such legislation as will enable every leper found within these United States or thereafter to be found therein, to be sent to the Island of Molokai for care and treatment; and be it further

Resolved, That the Governor of this State is hereby respectfully requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

Resolution read and adopted.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 260—An Act to amend an Act entitled "An Act to amend Sections 5, 6, and 11 of an Act entitled 'An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1, of Sutter County,'" approved March 20, 1874—have had the same under consideration, and respectfully report the same back with the recommendation that it do not pass.

Also: Assembly Bill No. 517—An Act to amend Sections 3546, 3547, and 3555 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

GREER, Chairman.

ON WAYS AND MEANS—(SUB-COMMITTEE)

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your sub-committee of Committee on Ways and Means beg leave to report that they have visited the Normal School at San Francisco, pursuant to the appointment and direction of the chairman of such committee, as authorized by Assembly resolution heretofore adopted, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage, to wit:

Henry E Carter	$18 00
Frank James	18 00
W. S Cowan	18 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of Henry E. Carter for the sum of $54, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

FISK, Chairman.

Read, and referred to Committee on Mileage.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: Your Committee on Commerce and Navigation respectfully report that, in accordance with the instructions from your honorable body, it has visited San Francisco and conferred with the Board of State Harbor Commissioners in reference to harbor improvements as proposed in various bills now before the committee. There is now due to each of the following-named persons the sums set opposite their several names, for mileage:

F. W. Barnes	$18 00
Geo. C. Brown	18 00
J. F. Collins	18 00
J. M. Kelley	18 00
B. H. McNeil	18 00
C. W Pendleton (in lieu of M. W. Brady)	18 00
G. G. Radcliff	18 00
L. F. Reeber	18 00
Frank Storer (clerk)	18 00
Total	$162 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of J McD Kelley, for the sum of $162, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly

KELLEY, Acting Chairman.

Read, and referred to Committee on Mileage.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

MR SPEAKER: Your Committee on Commissions and Public Expenditures, authorized to visit the various State Hospitals in this State, having visited the Southern California

State Hospital, situated at Highlands, in San Bernardino County, herewith present their bill of expenses of the trip as follows:

J. A. Bliss	$121 60
D. W. Hasson	121 60
F. L. Stewart	121 60
Edw. F. Treadwell	121 60
M. W. Brady	121 60
G. S. Walker	121 60
S. W. Irving	121 60
W. B. Reynolds (clerk)	121 60
Total	$972 80

And we ask the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of John A. Bliss, chairman of the Committee on Commissions and Public Expenditures, for the sum of $972.80, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

BLISS, Chairman

Read, and referred to Committee on Mileage.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 358—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools—have had the same under consideration, and respectfully report the same back, with a substitute, and a majority recommend that the substitute do pass

GANS, Chairman.

Assembly Bill No. 358 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 706—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Bill No. 424—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued—have had the same under consideration, and respectfully report the same back, and recommend that the accompanying committee substitute do pass.

JOHN, Chairman.

Assembly Bill No. 424 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Public Lands and Forestry: Assembly Bill No. 707—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued.

Read first time, and ordered on file for second reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 11, 1901

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 210—An Act to repeal an Act entitled "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," approved March 9, 1897

Also: Senate Bill No. 358—An Act making an appropriation for a State prize, or trophy, to be competed for at the third National Bundes Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901

Also: Senate Bill No. 406—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the fortieth district.

Also: Assembly Bill No 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Also: Assembly Bill No 137—An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Also. Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for active services rendered at Colusa, California.

Also: Assembly Bill No 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County

Also: Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane, and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years

Also: Assembly Bill No. 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Also: Amended, and passed as amended, Assembly Bill No 254—An Act to promote the apicultural interests of the State of California by providing county inspectors of apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of this State to appoint inspectors of apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883—and respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 210—An Act to repeal an Act entitled "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," approved March 9, 1897.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 358—An Act making an appropriation for a State prize, or trophy, to be competed for at the third National Bundes Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901.

Read first time, and referred to Committee on Military Affairs.

Senate Bill No. 406—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the fortieth district.

Read first time, and referred to Committee on Agriculture.

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Ordered to enrollment.

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Ordered to enrollment.

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for active services rendered at the Colusa county jail, in August, 1897.

Ordered to enrollment.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Ordered to enrollment.

Assembly Bill No. 163—An Act making an appropriation to pay the deficiency for transportation of insane, and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years.

Ordered to enrollment.

Assembly Bill No. 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Ordered to enrollment.

Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of the State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

SENATE AMENDMENT No. 1.

Amend by striking out of Section 1, line eleven, page one of the printed bill, the word "shall," and inserting the word "may"

SENATE AMENDMENT No. 2.

Amend by adding after the word "action," in line eighteen, "*provided*, that the owner shall have at least ten days in which to remove or eradicate such disease or cause of contagion."

Mr. Clarke moved that the Assembly refuse to concur in Senate amendments, and that the Senate be asked to recede from their action.

The roll was called, and the Assembly refused to concur in Senate amendments by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Levinson, Macbeth, Mattos, McWade, Melick, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—53

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day ordered returned to the Assembly, Assembly Bill No. 8—An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations for municipal improvements, and regulating the acquisition, construction, or completion thereof—with the request that the author withdraw the same, on account of an identical bill having passed both houses, and sent to enrollment.

Also: Refused to pass Assembly Bill No. 196—An Act entitled an Act to amend Sections 4 and 5 of an Act entitled "An Act to protect sheep and Cashmere and Angora goats against the ravages of dogs," approved March 30, 1866.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 8 withdrawn by author.

Also:

SENATE CHAMBER, SACRAMENTO, February 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 5—Relative to United States geological surveys for irrigation purposes.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Joint Resolution No. 5 ordered to enrollment.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Fisk to the chair.

Also:

SENATE CHAMBER, SACRAMENTO. February 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed as amended, Assembly Bill No. 90—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. 284—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 90.

SENATE AMENDMENT No. 1.

Amend by striking out the word "harbors," in line twenty-two, page two, printed bill, and inserting in lieu thereof the following. "public mooring places for water craft, public parks, including parks and other places covered by water."

SENATE AMENDMENT No. 2.

Amend by inserting at the end of line sixty-nine, page three of the printed bill, the following: "electric power lines, electric heat lines, and electric light, heat, and power lines."

Amendments read, and pending consideration Mr. Carter moved that the matter be postponed for one day.

So ordered.

Assembly Bill No. 284.

SENATE AMENDMENT No. 1.

Amend by striking out of Section 18, line two, page twelve, the word "July," and inserting the word "August."

SENATE AMENDMENT No. 2.

Amend by striking out of Section 16, line eleven, subdivision three, page eleven, the words "or any," and the comma after the word "medical."

SENATE AMENDMENT No. 3.

Strike out subdivision four of Section 16, down to and including line twenty-one, and insert the following: "Those who for a pecuniary or valuable consideration prescribe or use any drug or medicine, appliance, or medical or surgical treatment, or perform any operation for the relief or cure of any bodily injury or disease."

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 Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cromwell, Evatt, Fisk, Foster, Franklin, Haley, Hanen, Hasson, Higby, James, Johnson, John, Kelley, Kincaid, Levinson, Macbeth, McWade, Melick, Merritt, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—47

NOES—Mr Irish—1.

Assembly Bill No. 284 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 38—An Act appropriating money for the purchase of lumber and fencing material for the use of the Preston School of Industry

Also: Senate Bill No. 39—An Act to add a new section to the Penal Code, to be numbered 499a, relating to the stealing of electric current, and the injuring of electric wires or appliances, and providing a punishment therefor

Also: Senate Bill No. 141—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

F. J. BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1901.

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons and schools.

Also Amended, and passed as amended, Assembly Bill No 22—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897.

Also, Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, by adding a new section thereto, to be numbered Section 12

Also: Assembly Bill No. 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California

And respectfully ask the concurrence of your honorable body in said Senate amendments

F. J. BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary

Assembly Bill No. 259 ordered to enrollment.

Assembly Bill No. 22.

SENATE AMENDMENT.

Amend by striking out the word "and," after the word "Yuba," in line twenty-three, on page two of printed bill, and inserting after the word "Bear," in line twenty-three, on page two of printed bill, the word "Mokelumne."

Mr. Johnson moved to lay the matter over, under unfinished business, until return of Mr. Schillig.

So ordered.

Assembly Bill No. 82.

SENATE AMENDMENT.

Amend by making "Sec. 3" read "Sec 2."

Also: Amend title by adding the words "by adding a new section thereto, to be numbered section twelve"

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 Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gulfoyle, Haley, Hanen, Hasson, Hourigan, Irish, James, Johnson, John, Kelley, Knight, Macbeth, Melick, Merritt, Miller, Ray, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Williams—46

NOES—None

Assembly Bill No. 82 ordered to enrollment.

Assembly Bill No. 240.

SENATE AMENDMENT.

Amend by inserting the following at the end of Section 5, in line thirteen, page three of the bill. 'after having been audited and approved by the State Board of Examiners."

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 of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Collins, Cromwell, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfovle, Haley, Hanen, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, McLoughlin, McWade, Merritt, Miller, Myers, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—54.

NOES—Messrs. Dunlap, Mattos, and Melick—3.

Assembly Bill No. 240 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 13, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof, appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations

Also: Senate Bill No 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville in this State, and making an appropriation therefor

Also: Senate Bill No. 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Also: Senate Bill No. 68—An Act to add a new section to the Penal Code of the State of California, to be known as Section 344, and to repeal Section 502 of the Penal Code of the State of California, relating to persons carrying on the business of junk-dealers and persons acting as their agents

Also: Senate Bill No 70—An Act to amend Section 600 of the Penal Code of California, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Also: Senate Bill No. 170—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.

Also: Senate Bill No 216—An Act to provide for independent and unattached companies of the National Guard of the State of California, and to provide for the manner of making allowances for the use and support of such companies.

Also: Senate Bill No 220—An Act to amend Section 1021 of the Code of Civil Procedure of this State, relating to compensations and liens of attorneys

Also: Senate Bill No. 244—An Act to amend an Act entitled "An Act to require an inventory of State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Also: Senate Bill No. 263—An Act authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, and fixing the compensation of such clerks.

Also: Senate Bill No 302—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J C. Daly, plaintiff, against the State of California, defendant.

Also: Senate Bill No 370—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Also: Senate Bill No 377—An Act to amend Section 1159 of the Civil Code, relating to judgments that may be recorded without acknowledgment

Also: Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense and providing a penalty therefor.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations.

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

Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

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

Senate Bill No. 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 68—An Act to add a new section to the Penal Code of the State of California, to be known as Section 344, and to repeal Section 502 of the Penal Code of the State of California, relating to persons carrying on the business of junk-dealers, and persons acting as their agents.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 70—An Act to amend Section 600 of the Penal Code of California, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 170—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.

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

Senate Bill No. 216—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations in the service of the State of California.

Read first time, and referred to Committee on Military Affairs.

Senate Bill No. 220—An Act to amend Section 1021 of the Code of Civil Procedure of this State, relating to compensation and liens of attorneys.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 244—An Act to amend an Act entitled "An Act to

require an inventory of State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 263—An Act authorizing the Secretary of State to appoint two additional clerks in his office, in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State.

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

Senate Bill No. 302—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

Read first time, and ordered on Senate special file as substitute for Assembly Bill No. 443, they being identical.

Senate Bill No. 370—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

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

Senate Bill No. 377—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

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

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Foster: Assembly Bill No. 708—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

Also: Assembly Bill No. 709—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

Also: Assembly Bill No. 710—An Act to provide for a continuous appropriation for the support and maintenance of the University of

California, to be an item of the general appropriation bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

By Mr. Johnson: Assembly Bill No. 711—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Read first time, and referred to Committee on Irrigation.

By Mr. Broughton: Assembly Bill No. 712—An Act to add thirty-four sections to an Act of the Legislature of the State of California to establish a Political Code, approved March 12, 1872, said sections to be known, numbered, and designated as Sections 4506, 4507, 4508, 4509, 4510, 4511, 4512, 4513, 4514, 4515, 4516, 4517, 4518, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4530, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539, 4540, 4541, and 4542, all relating to the establishing of a Board of State Harbor Commissioners to the Port of Wilmington and Bay of San Pedro.

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

By Mr. Brown of San Francisco: Assembly Bill No. 713—An Act providing for primary elections, and the time and manner of holding the same, wherever the Act known and designated as "The Primary Law of 1901" is not in force.

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

Also: Assembly Bill No. 714—An Act concerning and providing for primary elections, and the time and manner of holding the same, and providing for the election of delegates to conventions of political parties at elections to be known and designated as primary elections, prescribing the qualifications of voters thereat, specifying where and when this Act shall be in force, and the procedure thereunder, and also prescribing penalties for violations thereof, and repealing all Acts inconsistent therewith, also repealing Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, of the Political Code.

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

Also: Assembly Bill No. 715—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 626*a*, relating to the baiting of wild game.

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

By Mr. Brown of San Francisco: Assembly Bill No. 716—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States, existing on the 27th day of July, 1861, and for collecting and receiving also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any

expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments or agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected.

Read first time, and referred to Committee on Claims.

By Mr. Collins of San Francisco: Assembly Bill No. 717—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 in the State when contracting for or purchasing goods or other property.

Read first time, and referred to Committee on Manufactures and Internal Improvements.

Also: Assembly Bill No. 718—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 719—An Act to amend Section 1206 of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 720—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1873, by adding thereto a new section, to be known as Section 511½, relating to street railroad corporations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 721—An Act to regulate the business of running and conducting sleeping cars for profit over railroads within the State of California, and to provide a penalty for the violations of the provisions of this Act.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 722—An Act to prohibit the paying of employés while he or they are in any public saloon, or bar, or restaurant.

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

By Mr. McWade: Assembly Bill No. 723—An Act creating the office of matron of the jail or prison in and for cities and towns where none is now provided for by law, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment and the giving of official bond by such matron.

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

Also: Assembly Bill No. 724—An Act to add a new section to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in the several counties of this State, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment and the giving of official bond by such matron.

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

By Mr. Irving: Assembly Bill No. 725—An Act making an appropriation of $20,000 for the expenses of maintaining, repairing, improving, and protecting the Lake Tahoe Wagon Road, together with its bridges and culverts during the fifty-third and fifty-fourth fiscal years.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Savage: Assembly Bill No. 726—An Act to amend Section 2 of an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California."

Read first time, and referred to Committee on Agriculture.

By Mr. Bennink: Assembly Bill No. 727—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads.

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

By Mr. Hourigan: Assembly Bill No. 728—An Act to limit horse-racing to a period of thirty days in each county within the State during one year.

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

By Mr. Williams: Assembly Bill No. 729—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to salaries and fees of county and township officers, and providing for a Deputy County Clerk, Deputy Sheriff, and Deputy Assessor, and for the fees of trial jurors in criminal cases and grand jurors.

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

By Mr. Guilfoyle: Assembly Bill No. 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

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

By Mr. John: Assembly Bill No. 731—An Act to amend Section 176 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Webber: Assembly Bill No. 732—An Act to regulate the conduct of express companies, to prescribe their duties, and requiring them to pay an annual license tax to the State of California.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 733—An Act to provide for the payment of a claim of $2,100 in favor of I. H. Stanley for work done on reclamation district contracts.

Read first time, and referred to Committee on Claims.

Also: Assembly Bill No. 734—An Act to pay the claim of Tyra Stanley for work done under Acts of the Legislature.

Read first time, and referred to Committee on Claims.

By Mr. Macbeth: Assembly Bill No. 735—An Act authorizing Boards of Supervisors or other governing bodies of municipalities to declare holidays.

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

MOTION.

Mr. Carter moved that Assembly Bill No. 215 (247 on file) be re-referred to Committee on County and Township Governments.

So ordered.

RESOLUTIONS.

By Mr. Berry:

Resolved, That C. S. MacMullan be and he is hereby elected one of the two statutory Assistant Engrossing and Enrolling Clerks required by statute to be elected on the thirtieth day of this session, said election to bear such date.

Resolution read, and referred to Committee on Attachés and Employés.

By Mr. Kelley:

Resolved, That W. H. Rickard is hereby appointed Secretary of Apportionment, to assist in the apportionment of the State, at a per diem of $5, to date from January 21, 1901, and that the Controller is authorized to draw a warrant on the Treasurer for the same, to be paid out of the Contingent Fund of the Assembly, and that the Treasurer is hereby authorized to pay the same.

Resolution read.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cromwell, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, John, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Myers, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Williams—58.

NOES—Mr. Kincaid—1.

MOTIONS.

Mr. Treadwell moved that Assembly Bill No. 626 (185 on file) and Assembly Bill No. 683 (239 on file) be made special order for Monday, February 18, 1901, immediately after reading of the Journal.

So ordered.

Mr. Kelley moved that action of the Assembly in recalling Assembly Bill No. 14 from the Governor be rescinded.

So ordered.

Mr. Carter moved that Assembly Bill No. 507 (223 on file) be re-referred to Committee on Judiciary, to retain its place on file.

Motion lost.

At twelve o'clock M., the Speaker resumed the chair.

RESOLUTIONS.

By Mr. Melick:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $600 in favor of A. J. Johnston, State Printer, and the State Treasurer is hereby authorized and directed to pay the same, as per resolution of February 11, 1901.

Read, and referred to Committee on Ways and Means.

By Mr. Johnson:

Resolved, That the sum of $40 be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the payment of one half of the cost of engrossment of eight copies of Assembly Concurrent Resolution No. 1, relative to thanking the State Relief Committee for the Texas Sufferers. The State Controller is hereby authorized to draw his warrant in favor of J. J. Kocher for the said sum of $40, and the Treasurer is directed to pay the same.

Read, and referred to Committee on Ways and Means.

MOTION TO POSTPONE.

Mr. Sutro moved that No. 1 on file (reconsideration of Assembly Bill No. 453) be postponed until February 20, 1901.

So ordered.

RESOLUTION.

By Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for $5, for rent of postoffice box, and the State Treasurer is hereby authorized and directed to pay the same, as per resolution of January 8, 1901.

Resolution read and adopted.

SPECIAL ORDERS.

Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 828 to 831, inclusive, relating to actions for divorce.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Chandler, Collins, Cromwell, Dunlap, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Ralston, Ray, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Walker, Williams, and Mr. Speaker—47.

NOES—Mr. Carter—1.

Title read and approved.

NOTICES OF RECONSIDERATION.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 531 was this day passed.

Mr. Fisk gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly refused to pass Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

The question now being on the reconsideration asked for by Mr. Fisk.

The roll was called, and reconsideration of Assembly Bill No. 58 ordered by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Brady, Brown of San Francisco, Butler, Carter, Cavagnaro, Dunlap, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Higby, Hourigan, Irish, Johnson, Kelley, Knight, Levinson, Macbeth, Mattos, McLoughlin, McWade, Merritt, Miller, Ralston, Ray, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—44.

NOES—Messrs. Atherton, Barnes, Berry, Brown of San Mateo, Cromwell, Duryea, Kincaid, and Melick—8.

Assembly Bill No. 58 ordered on file for unfinished business.

HOUR OF RECESS EXTENDED.

Mr. Guilfoyle moved that the hour of recess be extended ten minutes.

So ordered.

SPECIAL ORDER SET.

Mr. Fisk moved that Assembly Bill No. 58 be considered Thursday,

February 14, 1901, immediately after action on reconsideration of Assembly Bill No. 531.

So ordered.

RECESS.

At twelve o'clock and thirty-one 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 Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 259—An Act making an appropriation to pay the claim of J. E. Edson.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Macbeth, Mattos, McLoughlin, Melick, Merritt, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Bill No. 201—An Act to define and establish a portion of the eastern boundary of the State of California.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Senate Bill No. 204—An Act making an appropriation to pay the salaries and expenses of the employés of the Commissioner of Public Works in the fifty-first fiscal year, and directing from what source such payment shall be made.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Broughton, Brown of San Francisco, Carter, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof.

Mr. Anderson moved that Senate Bill No. 185 be re-referred to Committee on Judiciary, to be reported upon to-morrow.

So ordered.

Senate Bill No. 268—An Act making an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office, as messenger and clerk therefor during the year 1900 (from January, 1900, to September, 1900, inclusive).

Mr. Anderson moved that Senate Bill No. 268 be returned from Committee on Claims by the 15th of February, 1901.

So ordered.

Mr. Duryea moved that Assembly Bill No. 258 be re-referred to Committee on Ways and Means.

So ordered.

Senate Bill No. 200—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.

Mr. Johnson moved that Senate Bill No. 200 be denied second reading.

So ordered.

Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

Read second time.

Mr. Anderson moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 161.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 161 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort—and do now report, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 161 ordered to third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following report and resolution by the Committee on Commerce and Navigation:

MR. SPEAKER: Your Committee on Commerce and Navigation respectfully report that, in accordance with the instructions from your honorable body, it has visited San Francisco, and conferred with the State Board of Harbor Commissioners in reference to harbor improvements as proposed in various bills now before the committee, and

there is now due to each of the following named persons the sum set opposite their names, for mileage:

J. McD. Kelley	$18 00
F. W. Barnes	18 00
Geo. C. Brown	18 00
J. F. Collins	18 00
B. H. McNeil	18 00
C. W. Pendleton (in lieu of M. W. Brady)	18 00
G. G. Radcliff	18 00
L. F. Reeber	18 00
Frank Storer (clerk)	18 00
Total	$162 00

We therefore recommend the adoption of the following:

"*Resolved*, That the State Controller be and he is hereby directed to draw his warrant in favor of J. McD. Kelley, for the sum of $162, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly."

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

EVATT, Chairman.

Report and resolution read and adopted.

Assembly Bill No. 243 withdrawn by author.

THIRD-READING FILE.

Assembly Bill No. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations."

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, Melick, Merritt, Miller, Myers, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of Amador, Sutro, and Williams—46.

NOES—None.

Title read and approved.

Assembly Bill No. 407—An Act to amend an Act entitled "An Act limiting the hours of daily services of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for the enforcement thereof," approved March 20, 1899.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Myers, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—59.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 249—An Act to provide for the location, construction and main-

tenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor.

Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State.

Assembly Bill No. 332—An Act to add a new section to the Penal Code, to be numbered 402¾.

Assembly Bill No. 347—An Act to create the office of Sheep Inspector for the State of California, to provide for the appointment, and to define the powers and duties of said officer and his deputies, and their compensation, and providing for the prosecution of offenses under the same, and to suppress and prevent dissemination of scab among sheep.

Assembly Bill No. 384—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Assembly Bill No. 386—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Assembly Bill No. 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

Assembly Bill No. 486—An Act to authorize suits against the State concerning certain real property, and regulating the procedure therein.

Assembly Bill No. 554—An Act to amend Section 896 of the Penal Code, relating to challenges to an individual grand juror.

Assembly Bill No. 571—An Act to add a new section to the Code of Civil Procedure, to be known and numbered Section 391.

Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc.

Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

FRANKLIN, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, James, Johnson, Kincaid, Knight, Levinson, Macbeth, Melick, Merritt, Miller, Myers, Ray, Roberts, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Walker, and Williams—47.

NOES—Mr. Chandler—1.

Title read and approved.

Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Macbeth, Mattos, McLoughlin, Melick, Merritt, Myers, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—53.

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No 653—An Act to repeal an Act entitled "An Act to encourage and provide for a general vaccination in the State of California," approved February 20, 1889—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 445—An Act to repeal an Act entitled "An Act to regulate the practice of pharmacy and sale of poisons in the State of California," approved March 11, 1891—have had the same under consideration, and respectfully report the same back, and recommend that it be withdrawn, and recommend the committee substitute therefor.

HASSON, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Public Health and Quarantine: Assembly Bill No. 736 (Substitute for Assembly Bill No. 445)—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read first time, and ordered on file.

THIRD-READING FILE—(RESUMED).

Mr. Carter moved that Assembly Bill No. 387 be withdrawn and Assembly Bill No. 385 substituted therefor.

So ordered.

Assembly Bill No. 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knight, Macbeth, Mattos, Melick, Merritt, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr Speaker—51.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount therein appropriated from the General Fund to said Adult Blind Fund

Also: Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the Industrial Home of Mechanical Trades for the Adult Blind.

Also: Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Assembly Bill No 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Also: Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Also: Assembly Bill No. 41—An Act to provide for a segregated hospital building and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

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

Also: Assembly Bill No 420—An Act making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to purchase three new boilers for the engine room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California—have had the same under consideration, and respectfully report a substitute, and recommend that it do pass.

DUNLAP, Acting Chairman.

Assembly Bill No. 420 withdrawn by author.

Assembly Bills Nos. 253, 272, 421, 422, 423, and 41 referred to Committee on Ways and Means.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on State Hospitals and Asylums: Assembly Bill No. 737—An Act making an appropriation of $2,500 to be used by the Board of Managers of the Stockton State Hospital at Stockton to repair the boilers in the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read first time, and ordered on file as substitute for Assembly Bill No. 420.

MOTION TO ADJOURN.

At four o'clock and two minutes P. M., Mr. James moved to adjourn.

Motion lost.

At four o'clock and five minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test bottles, or other appliances showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

Read third time.

Mr. Myers moved that a select committee of one be appointed to amend Assembly Bill No. 430 as follows:

After the enacting clause, insert as follows: "A new section is hereby added to the Penal Code, to be known and numbered as Section 381*a*, and to read as follows."

Also: Strike out the figure "1" in line one of Section 1 of the printed bill, and insert in lieu thereof the figures and letter "381*a*."

Also: Amend the title by inserting after the words "An Act" the words "to add a new section to the Penal Code, to be known and numbered as Section 381*a*."

Motion carried, and it was so ordered.

Mr. Myers was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test bottles, or other appliances showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud—with instructions to amend, now reports that the instructions of the Assembly have been carried out

MYERS, Committee.

Report and amendments adopted.

Assembly Bill No. 430 ordered to print, reëngrossment, and third reading.

Assembly Bill No. 362—An Act to amend Section 3951 of the Political

Code of the State of California, relating to the boundaries of the County of San Mateo.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, Melick, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, and Walker—53

NOES—None.

Title read and approved.

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Mattos, Melick, Merritt, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Sheridan, Stewart of San Diego, Sutro, and Walker—46.

NOES—None

Title read and approved.

ADJOURNMENT.

At four o'clock and twenty-five minutes P. M., on motion of Mr. Miller, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 14, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clark, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Haley, Hanen Hasson, Henry, Higby Hourigan, Irish, Irving, James, Johnson, John, Kelley Kincaid, Knight, Knowland Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice Miller Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—69

Quorum present.

LEAVE OF ABSENCE.

Messrs. Bliss, Hubbard, Cowan, Cavagnaro, Macbeth, and Guilfoyle were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of February 12, 1901, was read, corrected, and approved.

CONSIDERATION OF SPECIAL ORDER POSTPONED.

Mr. Knight moved that consideration of Assembly Concurrent Resolution No. 6 and Senate Joint Resolution No. 2 be postponed until February 21, 1901.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said Code, in relation to the plugging of water-producing wells or holes, drilled or otherwise made, in territory producing oil or similar carbonic substances—report the same back with one amendment, and recommend that it do pass as amended.

Also: Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor—report the same back with five amendments, so as to conform to the instructions of the Assembly by placing the said Act in the Code.

Also: Assembly Bill No. 354—An Act to amend Section 1665 of the Code of Civil Procedure of the State of California, relating to the distribution of the residue of the estates of decedents—report the same back with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 355—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 1663½, providing for partial distribution to assignee of heir, devisee, or legatee—report the same back with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 356—An Act to amend Section 1466 of the Code of Civil Procedure of the State of California, relating to the allowance out of the estate of a decedent for the support of the widow and children, or either—report the same back by a majority vote, and recommend that it do not pass

Also: Assembly Bill No. 465—An Act to amend Section 3051 of the Civil Code of the State of California, in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries, and persons conducting a laundry business—report the same back with the recommendation that it do pass.

Also: Assembly Bill No 695—An Act to amend Section 4046 of the Political Code by adding a new subdivision to said section, to be numbered Section 27—report the same back with one amendment, and recommend that it do pass as amended

Also: Senate Bill No. 210—An Act to repeal an Act entitled "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," approved March 9, 1897—report the same back with the recommendation that it do pass.

Also: Senate Bill No 220—An Act to amend Section 1021 of the Code of Civil Procedure of this State, relating to compensation and liens of attorneys—report the same back with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No. 490—An Act to amend Section 1310 of an Act entitled "An Act to establish a Code of Civil Procedure"—report the same back with one amendment, and recommend that it do pass as amended.

Also: Senate Bill No. 244—An Act to amend an Act entitled "An Act to require an inventory of State and county property, and directing that a record of the same be kept," approved February 9, 1897

Also: Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State in relation to depositing public funds of any county, city and county, city or town.

Also: Senate Bill No. 68—An Act to add a new section to the Penal Code of the State of California, to be known as Section 344, and to repeal Section 502 of the Penal Code of

the State of California, relating to persons carrying on the business of junk-dealers, and persons acting as their agents.

Also: Senate Bill No 70—An Act to amend Section 600 of the Penal Code of California, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor

Report the same back with the recommendation that they do pass.

Also: Assembly Bill No. 255—An Act to amend Section 800 of the Political Code, relating to the qualification of notaries public—report the same back with two amendments, with the recommendation that it do pass as amended.

Also: Senate Bill No. 246—An Act to amend Section 638 of the Civil Code of the State of California.

Also: Assembly Bill No. 282—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and commissioning of notaries public for the several counties of the State of California.

Report the same back with the recommendation that they do pass.

Also: Assembly Bill No. 413—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "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 report the same back with ten amendments, and recommend by a majority that it do pass as amended.

JOHNSON, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 417—An Act to amend Subdivision 2 of Section 1, Article III, of an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of $65,000 for the support of said home," approved March 17, 1887—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

RUTHERFORD, Chairman.

Assembly Bill No. 417 re-referred to Committee on Ways and Means.

ON PUBLIC BUILDINGS AND GROUNDS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: A minority of your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 417—An Act to amend Subdivision 2 of Section 1, Article III of an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of $65,000 for the support of said home," approved March 17, 1887—believing that the principle present in said Act sought to be amended by said Assembly Bill No 417 which permits the State to compete with the labor and capital of its citizens is vicious, hereby dissents from the action of the majority of said committee in reporting said Bill No 417 unfavorably, and recommends that the same do pass.

E. D. KNIGHT.

ON PUBLIC BUILDINGS AND GROUNDS—(RESUMED).

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 244—An Act appropriating $100,000 for the erection of buildings for the use of the San Francisco State Normal School.

Also: Assembly Bill No 679—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also. Assembly Bill No 286—An Act to provide for the appointment of a Board of Colton Hall Trustees and for the possession of the Colton Hall property, and providing for an appropriation for the protection and improvement of said property.

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

Also: Assembly Bill No. 64—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditure thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RUTHERFORD, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 287—An Act to amend Section 626 of the Penal Code, relating to game—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw the same.

HIGBY, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi 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. 193—An Act making an appropriation to pay J. C. Nichols for money expended by him in conveying insane to Highlands and feeble-minded to State institution for feeble-minded—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

FISK, Chairman.

Assembly Bill No. 193 withdrawn by author.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 280—An Act making an appropriation to pay the claim of Thomas O. Toland for mileage in attending, as a Trustee of the State Normal School of San Diego, the meetings of the Joint Board of Normal School Trustees of the State of California, held at San José in June, 1897, at Los Angeles in April, 1898, and at Sacramento in September, 1898—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 388—An Act to pay the claim of Thos. J. Walsh for conveying the election returns of Presidential Electors to Sacramento—have had the same under consideration, and respectfully report the same back, and recommend that the author be allowed to withdraw same, it being identical with Senate Bill No. 238.

Also: Assembly Bill No. 601—An Act to appropriate the sum of $213.36 to pay the claim of C. A. Williams for money due and owing to the said C. A. Williams from the State of California.

Also: Assembly Bill No. 634—An Act appropriating $300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill."

Also: Assembly Bill No. 655—An Act appropriating money for the payment of claims against the State arising in the counties of El Dorado and Amador, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

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: Assembly Bill No. 662—An Act making an appropriation to pay the claim of the Berkeley "World-Gazette" for publishing the proposed constitutional amendments—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No 238—An Act to pay the claim of Thos. J. Walsh for conveying the election returns of Presidential Electors to Sacramento—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 268—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office, as messenger and clerk therefor during the year 1900 (from January, 1900, to September, 1900, inclusive)—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman

Assembly Bills Nos. 280, 601, 634, 655, and 662 re-referred to Committee on Ways and Means.

Assembly Bill No. 388 withdrawn by author.

Senate Bills Nos. 238 and 268 referred to Committee on Ways and Means.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements, to whom was referred Assembly Bill No. 568—An Act to prevent the making of gun-

powder, nitro-glycerine, fireworks, or other explosives within one mile of a track of any railway over which passengers are conveyed, of a public highway, or in or within any city, city and county, or town, and providing for the punishment thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms and other like commodities by the inmates of the Industrial Home for the Adult Blind—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the same be referred to Committee on Ways and Means, under the rule.

BUTLER, Chairman.

Assembly Bill No. 610 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 201—An Act placing a fee on granting naturalization, and giving the proceeds to the University of California.

Also: Assembly Bill No. 203—An Act levying fees on corporations of other States and of foreign countries, and giving the proceeds to the University of California.

Also: Assembly Constitutional Amendment No. 23.

Have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No. 10—A proposed Act to enforce the educational rights of children—report the same back, and by a majority vote recommend that same do pass.

Also: Assembly Bill No. 246—An Act to amend Section 1579 of the Political Code of the State of California, relating to school districts—report the same back, and by majority vote recommend that same do not pass.

Also: Assembly Bill No. 247—An Act to regulate the letting of contracts for the erection, improvement, or repair of public school buildings—have had the same under consideration, and respectfully report the same back, and recommend that same do pass.

GANS, Chairman.

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

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

Resolved, That by and for reason of services rendered the Assembly by Chas. Davey, as porter, from January 11, 1901, to February 7, 1901, both days included, the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $84, and the State Treasurer is hereby authorized to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

GEO. C. BROWN, Chairman.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Greer, Haley, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, McLoughlin, Melick, Merritt, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—52.

NOES—None.

LEAVE OF ABSENCE.

At ten o'clock and fifteen minutes A. M., Mr. Schlesinger was granted leave of absence for one hour.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

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

Resolved, That C. S. MacMullan be and he is hereby elected one of the two statutory Assistant Engrossing and Enrolling Clerks required by statute to be elected on the thirtieth day of this session, said election to bear such date.

Have, by investigation, ascertained that the above-named statutory office has not been

filled, as Section 246 of the Political Code requires the election of two such assistants after the thirtieth day of the session, whereas but one has been elected. The per diem of such clerks was provided for in the General Appropriation Bill of two years ago. We further state that the person named in the resolution is an experienced legislative clerk; therefore, as the expense of such assistant clerk will not increase the contingent expenses of the Assembly, and as the Code requires the election of such officer, we respectfully report the same back, and recommend that the resolution be adopted.

GEO. C. BROWN, Chairman

Resolution read and unanimously adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 168—An Act entitled "An Act making it unlawful for the State Board of Prison Directors or the State Prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State, in the manufacturing, cutting, or dressing any curbing or crosswalk material for street or sidewalk purposes, monuments, headstones, coping, posts, or steps suitable for use, or to be used in cemetery work, cut granite for building purposes, and dimension stone for cemetery or building work, except such cut and dimension stone as may be used in State Prison buildings and walls, cut stone for arches in bridges and culverts for use on State highways, county or district roads."

Also: Senate Bill No. 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

SENATE BILLS—FIRST READING.

Senate Bill No. 168—An Act entitled an Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897.

Read first time, and referred to Committee on Fruit and Vine Interests.

MESSAGE FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 13, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two (2) new sections to the Political Code to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

Also: Assembly Bill No. 474—An Act to prevent fraud in the sale of Paris green used as an insecticide.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 44 and 474 ordered to enrollment.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Johnson: Assembly Bill No. 738—An Act to amend Section 1197 of the Political Code, relating to elections.

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

By Mr. Broughton: Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

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

Also: Assembly Bill No. 740—An Act to regulate the practice of architecture.

Read first time, and referred to Committee on Judiciary.

By Mr. Higby: Assembly Bill No. 741—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

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

By Mr. Savage: Assembly Bill No. 742—An Act to amend that certain Act of the Legislature of the State of California, approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State, for the construction of water-works, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than 3,000 and less than 10,000 inhabitants, to obtain water-works'; also to repeal an Act approved March 15, 1887, entitled 'An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State,'" by amending Section 6 thereof.

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

By Mr. Ralston: Assembly Bill No. 743—An Act making an appropriation to pay the claim of W. B. Fouts for the arrest and conviction of Herman Westfall for attempted highway robbery.

Read first time, and referred to Committee on Claims.

By Mr. Irish: Assembly Bill No. 744—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

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

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, authorized to visit and inspect the State Normal School, and proposed site therefor, at San Francisco; the State Normal School at San José; the Ladies' Relief Corps Home at Evergreen, Santa

Clara County; the original State Capitol, called Colton Hall, at Monterey; and the old United States Custom House at Monterey, hereby report that said committee have visited and inspected said institutions, and reported upon measures before the committee carrying appropriations therefor, and hereby present the bill of expense of said visits—mileage as follows, to wit:

Rutherford	$44 80
Barnes	44 80
John	44 80
Butler	44 80
Hourigan	44 80
Foster	44 80
McWade	44 80
Feliz	44 80
McLoughlin	44 80
Reeber	44 80
Knight	44 80
Jensen (clerk)	44 80
Total	$537 60

Wherefore, your committee present and ask the adoption of the following resolution:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the fund for the payment of the contingent expenses of the Assembly in favor of F. M. Rutherford, chairman of the Assembly Committee on Public Buildings and Grounds, for $537.60, as per foregoing statement, and the Treasurer is directed to pay the same.

RUTHERFORD, Chairman.

Read, and referred to Committee on Mileage.

SPECIAL ORDER.

Assembly Bill No. 88—An Act directing the State Prison Directors of the State of California to employ at least twenty prisoners in the construction and repair of roads to the State Prison at San Quentin.

The question being, "Shall the bill become a law notwithstanding the objections of the Governor?"

The roll was called, and the veto sustained by the following vote:

AYES—Mr. Broughton—1.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Brown of San Mateo, Chandler, Clarke, Cromwell, Dunlap, Feliz, Fisk, Foster, Haley, Hasson, Higby, Irish, James, John, Kincaid, Knight, Levinson, McLoughlin, McNeil, Melick, Merritt, Ralston, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—42.

UNFINISHED BUSINESS.

Assembly Bill No. 90—An Act to amend Section 1238 of the Code of Civil Procedure of the State of California, concerning the right of eminent domain.

Mr. Johnson moved that the amendments be considered separately.

So ordered.

The question being on the following pending Senate amendments:

SENATE AMENDMENT NO. 1.

Amend by striking out the word "harbors," in line twenty-two, page two, printed bill, and inserting in lieu thereof the following: "public mooring places for water craft, public parks, including parks and other places covered by water."

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Haley, Hasson, Higby, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, McLoughlin, McNeil, Melick, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson,

Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—49.

NOES—None.

SENATE AMENDMENT No. 2.

Amend by inserting at the end of line sixty-nine, page three of the printed bill, the following: "electric power lines, electric heat lines, and electric light, heat, and power lines."

The roll was called, and the Assembly refused to concur in Senate Amendment No. 2 by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Broughton, Brown of San Mateo, Chandler, Collins, Dunlap, Duryea, McNeil, Melick, Merritt, Ray, Savage, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Williams, and Wright—23.

NOES—Messrs. Bauer, Brown of San Francisco, Butler, Carter, Fisk, Foster, Greer, Haley, Hourigan, Irish, Johnson, Kelley, Kincaid, Knight, Reeber, Stewart of Amador, Treadwell, and Mr. Speaker—18.

At ten o'clock and fifty-five minutes A. M., the Speaker called Mr. Fisk to the chair.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly refused to concur in Senate Amendment No. 2.

RESOLUTIONS.

By Mr. Kelley:

Resolved, That R. Greer be and he hereby is substituted as Watchman in place of H. Bryan, at a per diem of $3, the said per diem to date from and including the 10th day of February, 1901, and the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of said R. Greer, and the State Treasurer is hereby directed and authorized to pay the same out of the said Contingent Fund of the Assembly.

Resolution read and adopted.

By Mr. Brown of San Francisco:

Resolved, That the Committee on Commerce and Navigation, and the clerk thereof, be given leave of absence on Friday, February 15, 1901, for the purpose of visiting San Pedro and examining matters referred to in Assembly Bill No. 712, now before said committee.

Resolution read and adopted.

Mr. Pendleton moved that the Assembly do now consider second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 206—An Act to prevent fraud in the sale of Paris green.

Mr. Anderson of Solano moved that Assembly Bill No. 563 be substituted for Assembly Bill No. 206.

So ordered.

Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the words "and providing a penalty for the violation of same," after the word "articles," in the title of printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out of Section 1, line five of printed bill, the words "hereby or may hereafter be."

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting in Section 2, line three, after the words "is not," the word "specifically."

Amendment adopted.

AMENDMENT No 4.

Amend by striking out of Section 2, line four, the words "as herein provided."

Amendment adopted.

Mr. Anderson of Solano moved to amend as follows:

Amend by striking out of Section 1, line three, the words "in this State."

Amendment adopted.

Also:

Amend by striking out of Section 2, line five, after the word "demeanor," balance of section.

Amendment adopted.

Assembly Bill No. 593 ordered to print, engrossment, and third reading.

Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Re-referred to Committee on Ways and Means.

Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Read second time.

Mr. Brown of San Mateo moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Fisk in the chair, for the purpose of considering Assembly Bill No. 394

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Fisk in the chair.

Assembly Bill No. 394 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fisk in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations—and do now report the same back, with amendments, and recommend that the same do pass as amended

FISK, Chairman

Report adopted.

The following committee amendment was submitted:

Amend original bill on page two, Section 3, line one, by striking out the word "commening," and inserting in lieu thereof the word "commencing."

Amendment adopted.

Assembly Bill No. 394 ordered to print, engrossment, and third reading.

Assembly Bill No. 223—An Act to regulate the catching of abalones within this State.

Read second time.

The following committee amendment was submitted:

Amend by striking out in lines two, three, and four, on page one of printed bill, after the word "abalones," in said line two, the following words: "measuring less than four inches in length, or who shall take or catch any abalone, or abalones, below low-water mark," and insert in lieu thereof the following words: "by means of any submarine suit, or submarine boat."

Mr. Sutro moved that the bill and amendment submitted be re-referred to Committee on Fish and Game.

Motion lost.

Amendment adopted.

Mr. Feliz submitted the following amendment:

Amend by striking out all of Section 1 of the printed bill and inserting in lieu thereof the following:

"SECTION 1. Any person who shall take or catch any abalone, or abalones, within the waters of this State by means of a diving suit, or other submarine contrivance, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than twenty nor more than one hundred dollars, or be imprisoned in the county jail not less than ten days nor more than one hundred days, or by both such fine and imprisonment."

Amendment adopted.

Assembly Bill No. 223 ordered to print, engrossment, and third reading.

Assembly Bill No. 226—An Act to prevent the use of paranzella, or dragnets, within the waters of this State, and to prohibit the sale of any fish caught therewith.

Mr. Anderson, at request of author, withdrew Assembly Bill No. 226.

Mr. Anderson moved that Assembly Bill No. 644 be substituted on file in place of Assembly Bill No. 226.

So ordered.

Assembly Bill No. 644—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 130—An Act to provide for the construction of a free wagon road from Los Baños, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Baños and Stayton Mine Road, and along the most direct public road from Stayton Mine to the town of Hollister, and making an appropriation therefor.

Read second time.

Mr. Ray moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Fisk in the chair, for the purpose of considering Assembly Bill No. 130.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Fisk in the chair.

Assembly Bill No. 130 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fisk in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 130—An Act to provide for the construction of a free wagon road from Los

Baños, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Baños and Stayton Mine Road, and along the most direct public road from Stayton Mine to the town of Hollister, and making an appropriation therefor—and do now report the same back with amendments, without recommendation.

FISK, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend Section 1, line three, page one, as per printed bill, by striking out the words "twenty thousand dollars," and inserting in lieu thereof the following: "ten thousand dollars ($10,000)"

Amendment adopted.

Assembly Bill No. 130 ordered to print, engrossment, and third reading.

Assembly Bill No. 466—An Act to repeal Section 1402 of the Civil Code of the State of California, relating to the succession of community property.

Mr. Johnson moved that Assembly Bill No. 504 be substituted for Assembly Bill No. 466 on file, and that Assembly Bill No. 466 take place of Assembly Bill No. 504 on file.

So ordered.

Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 468—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 467—An Act to amend Section 1401 of the Civil Code of the State of California, relating to the succession of community property.

Mr. Johnson moved that Assembly Bill No. 640 take place of Assembly Bill No. 467 on file, and that Assembly Bill No. 467 take place of Assembly Bill No. 640 on file.

So ordered.

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 220—An Act providing for the creation and management of the California Redwood Park.

Mr. Johnson moved that Assembly Bill No. 220 be re-referred to Committee on Ways and Means.

So ordered.

Assembly Bill No. 224—An Act prohibiting the catching, selling, offering for sale, or having in possession of any squid between the first day of June and the first day of September of each year.

Mr. Pendleton, at the request of author, moved that Assembly Bill No. 224 be withdrawn and Assembly Bill No. 520 substituted therefor.

So ordered.

Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm-water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of

public moneys and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "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," approved April 1, 1897.

Read second time.

MOTION.

Pending possible amendments, Mr. Duryea moved that Assembly Bill No. 520 be re-referred to Committee on Judiciary, with instructions to report to-morrow, and to retain its place on file.

At eleven o'clock and fifty minutes A. M., the Speaker resumed the chair.

At twelve o'clock M., the Speaker called Speaker pro tem. Ralston to the chair.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

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

By Mr. Kincaid: Assembly Bill No. 745—An Act to amend Section 56 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to officers of a township.

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

By Mr. Williams: Assembly Bill No. 746—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels, or the purchase of toll-roads.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Kelley: Assembly Bill No. 747—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

Read first time, and referred to Committee on Judiciary.

WITHDRAWAL OF BILL.

Assembly Bill No. 741 withdrawn by author.

RESOLUTION.

The following resolution was offered by Mr. Fisk:

Resolved, That the Secretary of Apportionment be authorized to make requisition on the Secretary of State for stationery, said requisition to be limited to ten dollars ($10).

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

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Collins, Cromwell, Dunlap, Fisk, Foster, Franklin, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, James, Johnson, John, Kelley, Knight, Levinson, McNeil, Merritt, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—44.

NOES—None.

RECESS.

At twelve o'clock and twenty-nine minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

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

SENATE SPECIAL FILE.

Senate Bill No. 35—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Collins, Cromwell, Dunlap, Fisk, Foster, Gans, Haley, Hasson, Higby, Hourigan, Irving, Kelley, Kincaid, Knowland, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of Amador, Treadwell, Walker, Williams, and Wright—45.

NOES—Messrs. Brown of San Mateo, Duryea, Hanen, Ralston, and Stewart of San Diego—5.

Title read and approved.

At two o'clock and fifteen minutes P. M., the Speaker called Mr. Kelley to the chair.

LEAVE OF ABSENCE.

Mr. Franklin was granted leave of absence until Friday morning.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court, and their salaries.

Read third time, and passed on file.

Senate Bill No. 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands.

Read second time, and ordered to third reading.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Ordered to print and third reading.

Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Foster, Greer, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knowland, Levinson, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Williams—45

NOES—None.

Title read and approved.

Senate Bill No. 123—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 third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Foster, Gans, Greer, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Levinson, McNeil, Melick, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—47.

NOES—Mr. Hasson—1.

Title read and approved.

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

Read third time.

Mr. Treadwell moved that a select committee of one be appointed to amend Senate Bill No. 115 as follows:

In Section 3, page two, line thirteen of the printed bill, after the word "appointment" insert the words "for the unexpired term."

So ordered.

Mr. Treadwell was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR SPEAKER Your select committee of one, to whom was referred Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

TREADWELL, Committee.

Report and amendment adopted.

Mr. Cromwell moved that a select committee of one be appointed to amend Senate Bill No. 115 as follows:

Amend by striking out all of Section 10, page four, of printed bill.

Motion lost.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 115 as follows:

Strike out the word "must," in line five of Section 1, and insert in lieu thereof the word "may."

So ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee.

Report and amendment adopted.

Mr. Cromwell moved that a select committee of one be appointed to amend Senate Bill No. 115 as follows:

Amend by striking out the words "shall have power to," in lines three and four of Section 10, and insert in lieu thereof the word "may."

So ordered.

Mr. Cromwell was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within

municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CROMWELL, Committee.

Report and amendment adopted.

Pending further amendments, Mr. Brown of San Mateo moved that further consideration of Senate Bill No. 115 be postponed until Friday, February 15, 1901, to retain its place on file.

So ordered.

Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness and the distribution of their property.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "taxes," in line fifteen, Section 2, page two, printed bill, and inserting in lieu thereof the word "assessments."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "taxes," in line sixteen, Section 2, page two, printed bill, and inserting in lieu thereof the word "assessments."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the words "such non-assenting," in line twelve, Section 3, page two, printed bill, and inserting in lieu thereof the word "unknown."

Amendment lost.

AMENDMENT No 4.

Amend by inserting after the word "holders," in line twelve, Section 3, page two, printed bill, the words "of valid indebtedness"

Amendment lost.

AMENDMENT No. 5.

Amend after the word "district," in line twenty-four, Section 4, page three, printed bill, by inserting the following: "and may determine the amount of any assessment or assessments theretofore paid upon the various parcels and lots of real estate therein."

Amendment adopted.

AMENDMENT No. 6.

After the word "rendered," in line twenty-six, Section 4, page three, printed bill, insert a period.

Amendment adopted.

AMENDMENT No. 7.

Capitalize the first letter "E" in the word "either," in line twenty-six, Section 4, page eight, printed bill.

Amendment adopted.

AMENDMENT No. 8.

After the word "party," in line twenty-six, Section 4, page three, printed bill, insert the word "shall."

Amendment adopted.

AMENDMENT No. 9.

Amend by striking out the word "of," in line one, Section 5, page four, printed bill' and inserting in lieu thereof the word "to."

Amendment adopted.

AMENDMENT No. 10.

After the word "days," in line two, Section 6, page four, printed bill, insert the words "after the canvass of said vote."

Amendment adopted.

AMENDMENT No. 11.

Amend by striking out the word "district," in line three, Section 7, page four, printed bill, and inserting in lieu thereof the word "system."

Amendment adopted.

AMENDMENT No. 12

Amend by striking out the word "on," in line five, Section 8, page five, printed bill, and inserting in lieu thereof the word "upon"

Amendment adopted.

By Mr. Myers:

Amend by inserting in Section 2, line two, the words "and a majority in value of said property," after the word "district."

Amendment adopted.

Senate Bill No. 181 ordered to print and third reading.

Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Read third time.

Mr. Johnson moved that a select committee of one be appointed with special instructions to amend Senate Bill No. 6 as follows:

Strike out the word "harbors," in lines thirteen and fourteen of the printed bill, and insert in lieu thereof the words "public mooring places for water craft, public parks, including parks and other places covered by water."

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report and amendment adopted.

Senate Bill No. 6 ordered to print and on file for passage.

Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof.

Read third time.

Mr. Johnson moved that a select committee of one be appointed to amend Senate Bill No. 185 as per amendments submitted by the Committee on Judiciary.

So ordered.

AMENDMENT No. 1.

After the word and figure "Section 1," in line one of Section 1 of the printed bill, insert the following: "A new section is hereby added to the Penal Code to be known and numbered Section 556, and to read as follows: Section 556"

AMENDMENT No. 2.

Strike out the word and figure "Sec. 2," in line one of Section 2 of the printed bill

AMENDMENT No. 3.

Strike out the word "Act." in line one of Section 2 of the printed bill, and insert in lieu thereof the word "Section."

AMENDMENT No. 4.

Strike out all of Section 3.

AMENDMENT No. 5.

After the words "An Act" in the title, insert the words and figures "to add a new section to the Penal Code, to be known and numbered Section 556"

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report and amendments adopted.

Senate Bill No. 185 ordered to print and on file for passage.

RESOLUTION.

The following resolution was offered by Mr. Higby:

WHEREAS, Certain measures are now pending before this Assembly affecting the abalone and squid industries of this State, in which considerable capital is invested; and

WHEREAS, Many conflicting reports and various information as to the advisability of the passage of such measures have been presented; be it therefore

Resolved, That the Committee on Fish and Game, and the clerk thereof, be and they are hereby granted a leave of absence and are to visit those establishments engaged in fishing, packing, or canning abalones or squid, that intelligent action may be taken in the matter.

Resolution read and adopted.

MOTION.

Mr. Johnson moved that his notice of reconsideration of the vote whereby Assembly Bill No. 531 was yesterday passed be taken up for consideration.

So ordered.

The question being, "Shall the vote whereby Assembly Bill No. 531 was yesterday passed be reconsidered?"

The roll was called, and reconsideration of vote on Assembly Bill No. 531 lost by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Gans, Hanen, Johnson, John, Kelley, Knight, McNeil, Merritt, Myers, Roberts, Rutherford, Savage, Stewart of San Diego, and Walker—20.

NOES—Messrs. Atherton, Carter, Chandler, Chiles, Fisk, Foster, Haley, James, Kincaid, Levinson, McLoughlin, McWade, Ray, Reeber, Schlesinger, Sheridan, and Simpson—17.

ADJOURNMENT.

The roll call showing no quorum present, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, February 15, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 13, 1901, was read, corrected, and approved.

MOTIONS.

Mr. Fisk moved to reconsider the vote whereby Assembly Journal of Monday, February 11, 1901, was approved.

So ordered.

Also: Amend the Journal of Monday, February 11, 1901, on page twelve, after the paragraph "Report adopted," in action on Assembly Bill No. 249, by inserting the following:

"Amend Section 1, line four, page one, printed bill, by striking out the words 'obtaining the right of way for.'

"Also: Amend Section 2, line eight, page two, printed bill, by striking out the word 'county,' and inserting in lieu thereof the word 'country.'

"Also: Amend Section 3, lines two and three, page two, printed bill, by striking out the words and figures 'five thousand dollars ($5,000) is made available immediately,' and inserting in lieu thereof the words and figures 'thirty thousand dollars ($30,000) is made available on and after the first day of January, A. D. 1902.'

"Also: Amend Section 3, lines four and five, page two, printed bill, by striking out the words 'forty thousand dollars shall be made available at the beginning of the fifty-third fiscal year,' and inserting in lieu thereof the words and figures 'thirty thousand dollars ($30,000) is made available on and after the first day of January, A. D. 1903.'

"Also: Amend Section 3, lines six and seven, page two, printed bill, by striking out the words and figures 'forty thousand dollars ($40,000) shall be made available at the beginning of the fifty-fourth fiscal year,' and inserting in lieu thereof the words and figures 'twenty-five thousand dollars ($25,000) is made available on and after the first day of January, A. D. 1904.'

"Assembly Bill No. 249 ordered to print, engrossment, and third reading."

Motion carried, and so ordered.

Mr. Fisk moved that the Journal of Monday, February 11, 1901, as corrected, be approved.

So ordered.

Mr. Radcliff moved that the following correction be made in the Journal of Wednesday, February 13, 1901:

In the report of the Committee on Attachés and Employés, on page three of said Journal, in the last line thereof, strike out the word "history."

Motion carried, and so ordered.

Mr. Guilfoyle moved to correct the Journal of Wednesday, February 13, 1901, page seventeen, in the resolution employing W. H. Rickard, as follows:

Amend by striking out the words "the Committee on Census."

Motion carried, and so ordered.

Also:

Correct the Journal of Thursday, February 14, 1901, page thirteen, in the resolution offered by Mr. Fisk, by striking out "the Committee on Census"

Motion carried, and so ordered.

REPORTS OF STANDING COMMITTEES.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Fish and Game beg leave to present the accompanying bill, which they have had under consideration, and respectfully recommend that it do pass.

HIGBY, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Fish and Game: Assembly Bill No. 748—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division.

Also: Senate Bill No. 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Report the same back, with one amendment each, and recommend that they do pass as amended.

Also: Assembly Bill No. 702—An Act to amend Sections 3462 and 3463 of the Political Code—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 400—An Act to amend Section 538 of the Code of Civil Procedure of the State of California, relating to attachments in civil actions—report the same back, with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No. 608—An Act to amend Section 110 of the Code of Civil Procedure of the State of California—report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 476—An Act to amend Sections 1021, 1033, and 1034 of the Code of Civil Procedure, relating to costs—report the same back, with eight amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 265—An Act to repeal an Act entitled "An Act concerning

the costs in civil actions for serving summonses and subpœnas," approved March 10, 1891—report the same back with the recommendation that it do pass.

As to Assembly Bill No. 520, the committee asks further time to consider the same.

JOHNSON, Chairman.

Mr. Johnson moved that the Committee on Judiciary be given until next Tuesday morning to make report on Assembly Bill No. 520.

So ordered.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom.

Also, Senate Bill No. 186—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893

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

IRISH, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 218—An Act to pay the claim of C B Lightfoot against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, as amended, without recommendation.

FISK, Chairman.

ON STATE HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901

MR. SPEAKER Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended, and that the same be referred to Committee on Ways and Means, under the rule.

RADCLIFF, Acting Chairman.

Assembly Bill No. 565 re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 21—An Act to appropriate the sum of $455.38 to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for active services rendered in defending prisoners from mob in the Colusa County jail in August, 1897

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Assembly Bill No. 82—An Act to amend an Act entitled "An Act to establish and support a Bureau of Labor Statistics," approved March 3, 1883.

Assembly Bill No 91—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Assembly Bill No 163—An Act making an appropriation to pay the deficiency for transportation of insane, and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years

Assembly Bill No 240—An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and to promote competency and skill among such practitioners in the State of California

Assembly Bill No. 252—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish

Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State Prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of Coroners' inquests held on the body of any person confined in such prisons and schools

Assembly Bill No. 284—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Assembly Joint Resolution No. 5—Relative to United States geological surveys for irrigation purposes.

And presented same to the Governor this day at three o'clock and fifteen minutes P. M.

G. H. ANDERSON, Acting Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Constitutional Amendment No. 16—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 in relation to the minimum period for the use of text-books in the common schools throughout the State—have had the same under consideration, and respectfully report same back without recommendation.

Also: Assembly Bill No. 230—*An Act to amend Sections 4, 5, 8, 10, and 12 of an Act* approved March 29, 1897, entitled "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'"—have had the same under consideration, and report the same back with one amendment, and recommend that the same do pass as amended.

GANS, Chairman.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Substitute for Senate Bill No. 19—An Act to regulate the sale of commercial *fertilizers or materials used for manurial purposes, and to provide penalties for the* infraction thereof, and means for the enforcement of the Act.

Also: Committee Substitute for Senate Bill No 56—An Act to amend Section 530 of an Act to establish a Political Code, relating to the office of Superintendent of State Printing, and providing for the appointment of such officer by the Governor

Also: Adopted Senate Joint Resolution No. 12—Relative to attempted location of mineral oil lands as agricultural lands

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

SENATE BILLS—FIRST READING.

Substitute for Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

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

Committee Substitute for Senate Bill No. 56—An Act to amend Section 530 of an Act to establish a Political Code, relating to the office of Superintendent of State Printing, providing for the appointment of such officer by the Governor.

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

SENATE JOINT RESOLUTION NO. 12.

Relative to attempted location of mineral oil lands as agricultural lands.

WHEREAS, There is now pending in the Land Department at Washington, D. C, numerous applications of persons seeking to locate the oil mineral lands of this State in lieu of agricultural lands, contained in various reservations, pursuant to the Act of June fourth, eighteen hundred and ninety-seven; and

WHEREAS, Bona fide locators of said lands as mineral lands have contested such application to select said oil lands under said Act; and

WHEREAS, The mineral locators and miners engaged in the development of oil lands in this State have developed an industry of great importance and value to this State and to its people; and

WHEREAS, Certain of said matters having been judicially investigated before Judge E. M. Ross, Judge of the Ninth Circuit Court, Southern District of California, and by him adjudged as to matters before him to be fraudulent and void applications for the selection of said oil lands as lieu lands; and

WHEREAS, Said matters are pending for consideration and decision before the Honorable Secretary of the Interior at Washington, D. C, and believing that the acquiring of title to said lands as agricultural lands under said Act would be an injustice to the

miners of this State and the persons who have actually developed the valuable character of said lands, and would, as we believe, amount to a fraud upon the Government of the United States; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the said Honorable Secretary of the Interior is hereby requested and urged to fully and thoroughly investigate said matters on behalf of the Government of the United States, and to thoroughly and carefully examine into the truth and honesty of the applications made to select said lands as agricultural lands, and he is hereby requested to take all necessary steps on behalf of the Government of the United States to fully examine into said matters and ascertain if frauds have been committed in the attempted selection of said mineral lands as agricultural lands, and if the same be adjudged to have been fraudulent, as we feel and believe them to be, then we request the said Secretary of the Interior to use all lawful ways and means to prevent the consummation of any attempted fraudulent selection of said lands

Resolved, That the Secretary of the Senate be instructed to immediately transmit a copy of this resolution by mail to the Secretary of the Interior, and to our Senators and Representatives in Congress.

Resolution read.

Mr. Johnson moved to amend as follows:

Strike out the words "as we feel and believe them to be," in lines twelve and thirteen of the resolution, on page two of printed resolution

Amendment adopted.

Resolution, as amended, adopted.

Senate Joint Resolution No. 12 ordered to print as a "rush" order.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 14, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty therefor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bill No. 314 ordered to enrollment.

MOTION.

Mr. Milice moved that Assembly Bill No. 489 (260 on file) be re-referred to Committee on Irrigation.

So ordered.

RESOLUTION.

By Mr. Johnson:

Resolved, That commencing Tuesday, February 19, 1901, the sessions of the House shall be held as follows, viz: From nine o'clock and thirty minutes A. M to twelve o'clock M.; from one o'clock and thirty minutes P. M to four o'clock and thirty minutes P. M., and from seven o'clock and thirty minutes P. M. to ten o'clock P. M., unless otherwise ordered by the House

Resolution read, and referred to Committee on Rules.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Stewart of San Diego: Assembly Bill No. 749—An Act to amend Sections 3666, 3667, 3668, 3669, and 3670 of the Political Code of the State of California, relating to the collection of State, county, city and county, township, road, school, and other local district taxes levied upon property of railways assessed by the State Board of Equalization.

Read first time, and referred to Committee on Corporations.

By Mr. Radcliff: Assembly Bill No. 750—An Act to amend an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

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

By Mr. Franklin: Assembly Bill No. 751—An Act to protect the laboring, mechanical, and manufacturing industries of this State.

Read first time, and referred to Committee on Labor and Capital.

By Mr. Berry: Assembly Bill No. 752—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while Farm Overseer at the California Home for the Care and Training of Feeble-Minded Children, during the years 1896, 1897, and 1898, in the sum of $242.

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

By Mr. Cromwell: Assembly Bill No. 753—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto.

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

Also: Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors, respecting roads.

Read first time, and referred to Committee on Roads and Highways.

By Mr. Knight: Assembly Bill No. 755—An Act to repeal Sections 2 and 3 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 756—An Act to amend Section 299 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Read first time, and referred to Committee on Judiciary.

By Mr Guilfoyle: Assembly Bill No. 759—An Act concerning the resignation of police officers after thirty years' service.

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

Also: Assembly Bill No. 760—An Act to prevent discrimination in the administration of the Police Pension Law.

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

By Mr. Ralston: Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 762—An Act to amend Section 1197 of the Political Code, relating to elections.

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

UNFINISHED BUSINESS.

Assembly Bill No. 22—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897.

SENATE AMENDMENT.

Amend by striking out the word "and" after the word "Yuba," in line twenty-three, second page of printed bill, and by inserting after the word "Bear," in line twenty-three, second page, printed bill, the word "Mokelumne."

The question being, "Shall the Assembly concur in Senate amendments?"

The roll was called, and Senate amendments concurred in by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Williams, Wright, and Mr. Speaker—55

NOES—None.

MOTIONS.

Mr. Johnson moved to reconsider the vote whereby Assembly Bill No. 531 was passed, and further moved to lay the notice and motion on the table.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

The vote on Assembly Bill No. 58 having been reconsidered.

The question now being on the passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Broughton, Brown of San Francisco, Carter, Chiles, Collins, Cromwell, Dunlap, Duryea, Evatt, Felix, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, Johnson, John, Kelley, Knight, Knowland, Laird, Mattos, McLoughlin, McNeil, McWade, Merritt, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Walker, and Mr. Speaker—45.

NOES—Messrs. Barnes, Bennink, Berry, Brown of San Mateo, Clarke, James, Kincaid, Levinson, Milice, Radcliff, Savage, Sutro, and Williams—13.

Title read and approved.

REPORT OF STANDING COMMITTEE— (OUT OF ORDER).

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 263—An Act authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, fixing the compensation of such clerks—have had the same under consideration, and respectfully report the same back, and recommend that it be substituted for Assembly Bill No. 367, and that the author of Assembly Bill No 367 be permitted to withdraw the same.

FISK, Chairman

MOTION.

Mr. Cowan moved that Senate Bill No. 263 be substituted for Assembly Bill No. 367, they being identical bills.

So ordered.

SPECIAL FILE.

Assembly Constitutional Amendment No. 9—To propose to the people of the State of California amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal.

Resolution read.

Mr. James moved to amend printed Assembly Constitutional Amendment No. 9 as follows:

Amend by striking out of Section 2, lines twenty-six and twenty-seven, the words "the demand or property in controversy exceeds ten thousand dollars in value, or whose."

Amendment adopted.

Also:

Strike out of Section 3, lines twenty-eight and twenty-nine, the words "Stanislaus, Mariposa, Madera, and Merced" and insert the word "and" before the word "Mono," in line twenty-nine of the same section.

Also: Amend by inserting in line sixteen of the same section, after the word "Fresno," the following, to wit: "Stanislaus, Mariposa, Madera, Merced."

Amendments adopted.

Also:

Amend by adding after the word "Angeles," in line twenty-two of Section 3, the following: "*provided*, that at least twice in each year, at such times as may be agreed upon by the Justices of said Court of Appeal in and for said Second District, said court must hold regular sessions in the City of Fresno."

Amendment adopted.

Assembly Constitutional Amendment No. 9 ordered to print.

Assembly Bill No. 250—An Act to provide for the election of Justices of District Courts of Appeal, to take effect in case Assembly Constitutional Amendment No. 9 is ratified by the people.

Read second time.

Mr. James moved to amend printed Assembly Bill No. 250 as follows:

Amend by striking out of Section 1, lines twenty-five and twenty-six, the words "Stanislaus, Mariposa, Madera, and Merced," and inserting the word "and" before the word "Mono," in line twenty-six of same section.

Amendment adopted.

Also:

Amend by inserting in Section 1, line fourteen, printed bill, the words "Stanislaus, Mariposa, Madera, Merced," after the word "Fresno."

Amendment adopted.

Assembly Bill No. 250 ordered to print, engrossment, and third reading.

At ten o'clock and fifty minutes A. M., the Speaker called Mr. Cowan to the chair.

THIRD-READING FILE.

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Laird, Levinson, Mattos, McNeil,

McWade, Melick, Merritt, Milice, Miller, Myers, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, and Wright—52.
NOES—None.

Title read and approved.

Assembly Bill No. 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaged in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof, and placing them under the supervision of the Bank Commissioners.

Read third time, and passed on file.

Mr. Bauer moved that Assembly Bill No. 86 (No. 80 on the file) and Assembly Bill No. 503 (No. 123 on the file) be transposed on the file.

So ordered.

Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Read third time.

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

AYES—Messrs Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, James, Johnson, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Ralston, Ray, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, and Wright—49.
NOES—None.

Title read.

Mr. Bauer moved to amend title as follows:

Strike out the words "recommended by Board of Examiners," in title.

Amendment adopted.

Title, as amended, read and approved.

Assembly Bill No. 503 ordered to print and to Senate.

Assembly Bill No. 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Read third time.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Mattos, Melick, Merritt, Myers, Ralston, Ray, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Wright—49.
NOES—None.

Title read and approved.

At eleven o'clock and forty-five minutes A. M., Speaker pro tem. Ralston was called to the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Franklin:

Resolved, That the members of the Committee on State Prisons and Reformatory Institutions are hereby allowed a leave of absence for three days, for the purpose of visiting Santa Barbara

Resolution read.

The question being on the adoption of the resolution.

Roll call was demanded by Messrs. Dunlap, Duryea, and Irish.

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

AYES—Messrs. Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Butler, Collins, Evatt, Feliz, Fisk, Franklin, Greer, Guilfoyle, Haley, Higby, Hubbard, Irish, Kelley, Laird, McWade, Merritt, Milice, Miller, Myers, Radcliff, Savage, Schlesinger, Simpson, Stewart of San Diego, Treadwell, Wright, and Mr. Speaker—33.

NOES—Messrs Anderson of Santa Clara, Atherton, Berry, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Foster, Gans, Hanen, James, Johnson, Kincaid, Levinson, Mattos, McNeil, Melick, Ralston, Roberts, Rutherford, Sheridan, and Walker—26

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 468—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code.

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section No. 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which such soliciting is prohibited.

Assembly Bill No. 644—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

BERRY, Acting Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing, or defacing marks and brands of domestic animals.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Irish, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved.

At twelve o'clock M., the Speaker resumed the chair.

Mr. Sutro, by permission of Mr. Schillig, moved that Assembly Bill No. 403 (No. 83 on file) and Assembly Bill No. 361 (No. 89 on file) be transposed on file.

So ordered.

Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section to Title XV, to be known as Section 637*a*, for the protection of meadow-larks.

Read third time.

Mr. Anderson of Solano moved that a select committee of one be appointed to amend Assembly Bill No. 361 as follows:

Strike out enacting clause.

Pending consideration of select committee amendment to Assembly Bill No. 361, Mr. Knowland presented the following report:

REPORT OF INVESTIGATING COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your committee heretofore appointed to investigate certain charges against the Police Department of the City and County of San Francisco have performed their duty, and beg leave to submit a partial report as follows:

That at a regular session of said committee held in the City and County of San Francisco on the 12th day of February, 1901, the following proceedings were had:

Thereupon Charles S. Cram was called as a witness, and, after being duly sworn, testified as follows:

THE WITNESS—Mr. Chairman, do I have to answer any questions that I don't like?

CHAIRMAN—You have to answer any questions that we want you to answer.

WITNESS—Then I would like to see an attorney about my rights, before I go on the stand.

CHAIRMAN—Have you come here voluntarily to offer your testimony?

WITNESS—Captain Wittman and Sergeant —— asked me last night; he met me and brought me down here, and served the subpœna on me to come here

CHAIRMAN—Did he serve a subpœna on you last night?

WITNESS—Yes.

CHAIRMAN—Who was it served that subpœna last night?

WITNESS—Captain Wittman and a detective.

CAPTAIN WITTMAN—I did not serve a subpœna on you

WITNESS—I think it was the detective.

CHAIRMAN—I would like to see that subpœna. I did not issue any for you.

WITNESS—He read it to me, and said I was to appear here this morning

CAPTAIN WITTMAN—I believe Wren served the subpœna on him.

CHAIRMAN—Did the subpœna say to appear before this committee?

WITNESS—Yes, sir.

CHAIRMAN—Have you the subpœna here?

WITNESS—He didn't serve it—he just read it

MR. JOSEPH COFFEY (speaking)—I would like to make an explanation of that. I was served with a subpœna to be here as a witness in connection with this investigation, and I was present when the man made his statement last night; and after he had made this statement there was some inquiry made by Officer Wren, who was present, as to whether or not this man would return without being subpœnaed, and I informed him that I had been subpœnaed as a witness here, and the subpœna had been delivered to me for service—that is, my name inserted. I stated, out of an abundance of caution, I thought it would be a good thing to insert the name of this witness, and serve the subpœna on him.

THE CHAIRMAN—I wish to state that this is an action you had no right to take. No one has the right to take a subpœna issued to you and change the name It is very reprehensible for a man to do anything of that kind.

MR. COFFEY—The Chair may disagree with me as to the policy of these things, but I thought, out of an abundance of caution, rather than allow this witness to go without being subpœnaed, as is done in court subpœnas, the same precaution should be taken in this matter as is done in regard to subpœnas issued out of court, which are issued in blank, and that being simply and solely to take the precaution that the witness would be present here, I advised the officer to take that course, and he did it.

MR. SCHILLIG—Did you advise that procedure, Captain Wittman?

CAPTAIN WITTMAN—I said nothing about it.

MR. SCHILLIG—Were you present?

CAPTAIN WITTMAN—I was present, and saw it done.

MR SCHILLIG—You knew he took the name off?

CAPTAIN WITTMAN—No, not take it off. He said: "Leave his name on, and add his name on, also" The name was inserted—no name erased at all.

Thereupon the examination of Charles S. Cram was resumed.

Q (By MR. SCHILLIG)—Where is your place of residence, Mr. Cram? A.—1122 Golden Gate Avenue.

Q.—How long have you lived in that city? A.—About twenty-five years.

Q.—Born here, were you? A.—Yes, sir.

Q.—What is your occupation? A.—Contractor.

Q.—Contractor? A.—Yes; painter, general contractor, you know.

Q.—What do you contract for? A.—Well, I have been doing some painting upon a whole lot of machines, whitewashing, carpenter work, and one thing or another.

Q.—You stated before you wished to be sworn that you wanted an attorney. A.—I have been waiting for Mr. Boyle, to see him, and I went out to the office to see him, and could not find him

Q.—I want to know why you wanted an attorney just now? A.—Will you allow me to explain?

Q.—Yes. A.—Last night the chief came down, Captain Wittman, Captain Wren, and Mr. Coffey, and they saw me down there, at the corner of Commercial and Kearny, and they brought me up to the Chief's office I went in there alone, and I knew the fact that I was Mr. Boyle's witness, I should be here; and they wanted me to make a statement, and I didn't know what statement to make. I said to myself, "They can wait until I get ready."

Q.—Did you give any statement? A.—I did not want to tell my evidence to them, so I told them what I felt I wanted to. That is the reason I wanted an attorney.

Q.—Did they swear you there? A.—No, sir.

Q.—What did they say to you when they got you down the street there? A.—Asked me to go along to the hall, and I came over.

Q.—Then they commenced to question you, did they? A.—Yes, sir.

Q.—What else did they say to you? A.—They kept telling me about saying nothing but the truth—nothing but the truth, and what was I going to do. The way they talked I saw the evidence they wanted, and I gave it the way they wanted.

Q.—You were just giving them a fill? A.—I did not give them the evidence according to the truth, because I was in no position to do it.

Q.—You mean to say——? A. (interrupting)—Well, gentlemen, if you can realize——

Q. (interrupting)—I understand your position. They had you in what is called a sweatbox? A.—Yes, sir.

Q.—Started to pump you? A.—Yes, sir

Q.—Did you tell them you wished to see this committee last night? A.—No, I did not, because they did not come to me till 11:30

Q.—Did they put you in the tanks over night? A.—No, they did not; that is what I was afraid of. I was going to see Mr Boyle, and I got afraid, and I did not know what to do. They kept me down stairs to-day.

Q.—Did they have a detective following you, do you know? A.—I don't know, I tried to find out.

Q.—Did you come to the City Hall? A.—This morning I met Captain Wren at ten o'clock on the corner of Kearny and Commercial

Q.—Do I understand that the statement that you made to the Chief last night is not true? A.—Yes, sir, you do

Q.—Mr. Cram, then we understand that the statement made to the police last night was made so as to save time, was it, that is—— A. (interrupting)—It was made because I wanted to get out of there. I did not know what to do. I was in a position then that I did not care what I said.

Q.—Why didn't you refuse to give your testimony? A.—I did not know what to do there; and what is a man to do? Joe Coffey said to me on the street, "I will prove that you offered to receive money from Mr Boyle," so I did not know what to do; so I went and told them.

Q.—Mr. Coffey was present during the whole interview, was he? A.—Mr. Coffey was present during the whole interview.

Q.—Was he acting as the adviser of the detectives and the police? A.—I don't know; he was present there last evening.

THE CHAIRMAN—I will now call Mr Coffey.

[Joseph F. Coffey is called before the bar of the committee.]

THE CHAIRMAN—Mr. Coffey, the committee deems the offense of yesterday of such a serious nature that they believe it should be taken cognizance of by the Legislature of California, and we will therefore cite you to appear before the bar of the Assembly on Friday next, at twelve o'clock.

From the foregoing facts, your committee finds that the said Joseph F. Coffey is guilty of contempt of the Assembly of the Legislature of the State of California, and your committee recommends that this honorable body take such action in the premises as they may deem just and proper.

KNOWLAND, Chairman of Committee

ARRAIGNMENT.

MR. SPEAKER—This being the time set for the hearing of the matter of Joseph Coffey, in contempt, the Sergeant-at-Arms will bring Mr Coffey before the bar of the House.

[Whereupon Sergeant-at-Arms Banks appears with defendant Coffey.]

MR. SPEAKER—Are you the person named in this resolution?

MR. COFFEY—Yes, sir

MR SPEAKER—You are entitled to counsel, if you desire it.

MR. COFFEY—I do not

MR. SCHLESINGER—I move that Mr. Coffey be allowed ten minutes in which to prepare his defense

MR. SPEAKER—If there is no objection it is so ordered

MR COFFEY—*Mr. Speaker and Gentlemen of the Assembly* It is true that I advised somewhat in reference to this proceeding that occurred in the office of the Chief of Police at San Francisco, as related by the report of the committee I had but one object. I was requested by the Chief of Police to take down a statement which was to be made by this witness on that evening Of course, I have no desire at this time, nor do I think it necessary, to enter into any controversy as to the witness' statement—whether it was true or false. If it was true, I realized that it was of the highest importance as throwing light on the subject under investigation I was there at the request of the Chief of Police, wrote his statement down as he stated it, and thought it to be sincere. This was about twelve o'clock at night, when he was brought into the office. After taking the statement, I read it over to him carefully and asked him if it was freely and voluntarily made, and if it was true He said it was, and subsequently signed it. He was then requested, or asked, if he would attend the meeting of the committee on the following day. He said he would. There was some suggestion made as to whether, under the circumstances, his general character, who he was, and what he

was, and the statement that he was an habitue of Chinatown, as to whether he would voluntarily come before the committee I think it was Detective Wren that suggested that a subpœna should be obtained from some of the courts in a case in which he was the arresting officer, to hold him. It was doubted that the witness would respond to that I said: "Gentlemen, I have been subpœnaed as a witness before this committee. At the time I was subpœnaed a copy of that subpœna was delivered to me, and I have it now in my possession, with my name on it." I had considered the lateness of the hour and the impossibility of getting a subpœna in proper form from the committee, and that it would be advisable to impress upon this witness the necessity of appearing before this committee The value of the statement upon my mind, if true, was important, and should be investigated I said "Gentlemen, I suggest that this copy, which is mine (and I took it out of my pocket), be read to him." I said: "Read it to him, and insert the name of the witness." Detective Wren did this, and alongside of my name was written the name of this witness—Cram. It was then read to him in the usual language of the subpœna, directing him to appear before the committee After that the witness was allowed to go wherever he chose, and I believe he appeared before the committee on the following day The statement made by the committee is substantially correct. The chairman insisted that he had not issued a subpœna, which is true. I had no intention of interfering or overriding the functions of the committee. My only motive in doing so was out of an abundance of caution that that man would be there to make a statement before the committee The circumstances are as related in the report of the proceedings of the committee on that day My only motive was simply to bring him before the committee, and throw the light on the subject-matter being investigated by the committee. If I have erred, it was an error of judgment rather than intent to violate any law. This is my statement concerning the matter, and it becomes your duty to do with me as you think proper As I have said before, it was done out of abundance of caution. I had no intention of offending this committee, or any member of it, or the Assembly. I leave this matter for you to discuss, under the circumstances.

MR. SPEAKER—You have heard the statement of Mr. Coffey. what is your pleasure?

Mr. Schlesinger moved that Mr. Coffey be discharged.

Pending consideration, Mr. Johnson moved that further proceedings be postponed until two o'clock P. M.

So ordered.

RECESS.

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

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

The Speaker announced the business before the Assembly—Mr. Schlesinger's motion to discharge Joseph F. Coffey.

Mr. Johnson moved the following as a substitute, which was accepted by Mr. Schlesinger:

SUBSTITUTE RESOLUTION.

WHEREAS, It appears from the report of the select committee appointed to investigate certain conditions in San Francisco, and also from the statement of Joseph F. Coffey, made in open Assembly this day, in his statement in response to the citation of said committee, that Chief of Police Sullivan, Captain of Police Wittman, and Detective Wren, all of the San Francisco police force, did aid and abet and assist the said Coffey in the doing of the acts reported by said committee, and concerning which, contempt of this Assembly is charged against said Coffey; and

WHEREAS, It is desirable that all the facts connected with the doing of said acts be in possession of the Assembly before final action is taken, to the end that justice may be done; therefore, be it

Resolved, That said Chief of Police Sullivan and said Captain of Police Wittman and said Detective of Police Wren be and they are each hereby cited to appear at the bar of the Assembly on Thursday, February 21, 1901, at the hour of twelve o'clock meridian of that day, then and there to show cause why they should not be punished for contempt of the Assembly; and

Be it further resolved, That a copy of this preamble and resolutions, duly certified by the Speaker and Chief Clerk, be served forthwith upon each of said persons, viz: said Sullivan, Wittman, and Wren, by the Sergeant-at-Arms of the Assembly, and

Be it further resolved, That the case of said Coffey be and the same is hereby continued until said February 21, 1901, at said hour of twelve o'clock meridian

Substitute resolution read and adopted.

MOTION.

Mr. Johnson moved that Mr. Coffey be excused and allowed to go on his own recognizance until February 21, 1901, at twelve o'clock M.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following report and resolution by the sub-committee of the Committee on Ways and Means:

"ASSEMBLY CHAMBER, SACRAMENTO, February 13, 1901.

"MR SPEAKER: Your sub-committee of Committee on Ways and Means beg leave to report that they have visited the Normal School at San Francisco, pursuant to the appointment and direction of the chairman of such committee, as authorized by Assembly resolution heretofore adopted, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage, to wit:

Henry E. Carter	$18 00
Frank James	18 00
W. S. Cowan	18 00

"We therefore recommend the adoption of the following:

"*Resolved*, That the State Controller be and he is hereby directed to draw his warrant in favor of Henry E. Carter for the sum of $54, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

"Said trip was made on the 9th of February, 1901."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EVATT, Chairman.

Report and resolution adopted.

RESOLUTION—(OUT OF ORDER).

By Mr. Fisk:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $350, in favor of W. O Banks, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby authorized to pay same, being in payment of bill of Tom Scott, as per resolution of January 9, 1901

Resolution read, and referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following report and resolution by the Committee on Commissions and Public Expenditures:

"ASSEMBLY CHAMBER, SACRAMENTO, February 12, 1901.

"MR. SPEAKER. Your Committee on Commissions and Public Expenditures, authorized to visit the various State hospitals in this State, having visited the Southern California State Hospital, situated at Highlands, in San Bernardino County, herewith present their bill of expenses of the trip as follows:

J. A. Bliss	$121 60
D. W. Hasson	121 60
F. L. Stewart	121 60
Edw. F. Treadwell	121 60
M. W. Brady	121 60
G S Walker	121 60
S. W. Irving	121 60
W B. Reynolds	121 60
Total	$972 80

"And we ask the adoption of the following:

"*Resolved*, That the State Controller is hereby directed to draw his warrant in favor of John A. Bliss, chairman of the Committee on Commissions and Public Expenditures,

for the sum of $972 80, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

"Said trip was made on the 8th of February, 1901."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

EVATT, Chairman.

Report and resolution adopted.

REPORT OF COMMITTEE ON COMMISSIONS AND PUBLIC EXPENDITURES.

Mr. Bliss, chairman of the Committee on Commissions and Public Expenditures, submitted the following report:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, which was directed under the resolution of Assemblyman Johnson, adopted by the Assembly on January 22, 1901, to fully and thoroughly investigate the transactions of the California Commission to the Paris Exposition, including all expenditures made by them, and the matters of awards of medals to California exhibitors, and report to the Assembly the testimony taken, and their conclusions and recommendations in regard thereto, beg leave to report as follows:

That, pursuant to said resolution, said committee commenced said investigation on the 29th day of January, 1901, and concluded the same on the 6th day of February, 1901.

That the following-named persons appeared before said committee and testified on matters pertinent to the investigation, to wit: E W. Runyon, W. W. Foote, V. W Gaskill, L. A. Emlay, Tirey L. Ford, H. P. Stice, R. E. Ross, A. Ekman, W. E. Dargie, Jr., W. H. Mills, J. A. Filcher, J. D. Lynch, A. J. Davidson, Fremont Older, A. J. Dennis, A A. Moore, Jr., Grove L. Johnson, and C. L. P Marais.

The testimony of these witnesses may be found in the full stenographic report of 772 pages which accompanies this report.

That, from the testimony taken and from the documentary evidence introduced, your committee finds:

I.—Creation and Organization of Commission

That the Commission to the Paris Exposition was created by an Act of the Legislature of the State of California, approved March 20, 1899, which appropriated $130,000 for the purpose of collecting, preparing, forwarding, installing, and maintaining an exhibit of the products of the State of California, and otherwise properly representing California at the Paris Exposition, which was held at Paris, France, in the year 1900.

This Act provided for the appointment by the Governor of the State of three commissioners experienced in exposition work, who were to have exclusive charge and control of the money appropriated, and to install the exhibit

The commissioners appointed were E. W. Runyon of Red Bluff, W. W Foote of Oakland, and Ben C. Truman of Los Angeles

It appears from the testimony that of the commissioners appointed, Commissioner Truman had been, previously to his appointment, officially connected with several other expositions, and that Commissioners Foote and Runyon had visited and observed several other previous expositions, but had no other previous exposition experience

The Commission organized May 29, 1899, and elected E. W. Runyon as president and Varney W. Gaskill as secretary of the Commission.

Headquarters were opened at the Occidental Hotel at San Francisco, and were kept open until about December 1, 1899.

Between May 29 and December 1, 1899, the State was traversed for exhibits which were collected and sent to Paris.

The exhibits which were put in competition for awards were sent to Washington or New York, turned over to the United States Government, which transported and installed them on the exposition grounds

The commissioners, under the Act, were to each receive $5,000 for their services, and, in addition thereto, "their actual traveling expenses"

The salary of the secretary was fixed by the Commission at $250 per month, and afterwards increased in Paris to $300 per month, and he was also allowed $150 per month for his living expenses.

II—Parisian Headquarters.

Headquarters of the California Commission were opened in Paris at No. 8 Place de l'Opera, in the most frequented and fashionable part of Paris. These headquarters were about two miles from the exposition grounds, and the rental paid for the same during the entire time of the exposition, which was about six months, was over $8,000

The rooms were liberally decorated, finely furnished, and contained many exhibits Visitors were entertained in lavish style. An abundance of California wines and other liquors were kept on hand for entertaining purposes. The register of visitors was not produced, but from the estimates of witnesses about thirty persons visited the headquarters daily.

The preponderance of evidence is that these elegant headquarters were quiet and properly conducted, and the published reports of drunkenness, fighting, and improper conduct therein have been proved to be grossly exaggerated.

It is doubtful, under the provisions of the Act, whether or not the opening of these headquarters was warranted or proper, as the Act required the exhibit at the Paris Exposition, which was held about two miles from the headquarters

III.—The Exhibit.

The exhibit at the exposition grounds was not a collective or cumulative exhibit of the resources of California, such as was had at the World's Fair at Chicago and at Hamburg, but was a distributive exhibit—that is to say, the products from the different sections of the State were scattered and merged with the various classified exhibits of the world. To illustrate: In the Agricultural Building of the World, the United States had a certain amount of space, and California had a certain part of this space for its agricultural display.

The reason given for not having a collective California exhibit was that under the rule of the French Government, a State which had a collective exhibit could not enter into competition for awards.

From the evidence, we conclude that a collective exhibit would have been more beneficial to the State, and that, from the money expended, a much more effective exhibit could have been made and the commercial interests of the State thus promoted. Only the mineral exhibit had a regular attendant on hand to explain and advertise the same to the visitors.

IV.—Expenditures.

It appears that the entire sum of $130,000 was drawn out of the State Treasury by the Commission and that about $112,000 was expended. The commissioners testified that about $15,000 will be returned to the State Treasury after all expenses have been paid. Vouchers for the disbursement of the entire amount of $112,000 have been presented to the committee for its inspection, which will be hereafter turned over and filed with the State Controller by the commissioners, as the Act provides. An itemized list of these vouchers is contained in the stenographic report accompanying this report.

Many of these vouchers are indefinite, and do not explicitly state what the expenditures were for, being grouped under a simple word such as "incidental," "merchandise," "office expenses," etc. We think such vouchers should be made definite and more clear before they are accepted by the State Controller.

Other vouchers are of a general nature, reciting lump sums for "salary" and "traveling expenses"

It appears from the minutes that in addition to their salaries of $5,000 each, the commissioners voted themselves additional amounts, to wit: Messrs. Truman and Foote an additional $5,000 each, and Commissioner Runyon an additional $4,000, which were reported under general vouchers as "traveling expenses from San Francisco to Paris and return," without specifically stating the different items of expenditure A portion of this $14,000 was expended for the living expenses of the commissioners while in Paris There is nothing in the Act allowing them any amount besides their salaries and actual traveling expenses, but the Attorney-General of this State, at the request of the committee, has given the committee his written opinion that the commissioners were entitled to their living expenses while in Paris, in the discharge of their duties as such commissioners, under an interpretation of the words "actual traveling expenses"

We think that those vouchers, and others of a like nature, should show what the various items of expenditure were and for what the money was expended, before being accepted by the State Controller It appears from the evidence that, of the $130.000 appropriated, the following expenditures were made:

Collecting and installing exhibits	$34,245 34
Album	2,920 60
Commercial representative	4,763 28
California Commissioners (salaries and traveling expenses)	32,021 00
U. S Commissioners	6,470 87
Entertainment	2,711 69
Office expenses, San Francisco and Paris	23,376 66
Maps of California	6,634 10
Photographic	902 25
Relief Map	409 70
Social Economy	416 70

V.—Awards and Medals.

Regarding the awards and medals for California exhibitors your committee could not get full and satisfactory testimony.

The commissioners' preliminary report to the Governor declares that California won 568 awards out of 577 exhibits made, or 98 per cent But on examination it appears that the commissioners could not give a full and authoritative list of awards until the French official list arrives From the testimony and submitted preliminary list, it appears that about 140 California exhibitors won awards by reason of the superiority of their exhibits in open competition with the products of the whole world by an international jury which gave the awards upon the merits of these goods. These 140 California exhibitors are each and all entitled to official diplomas and medals from the Government of France. That 140 exhibitors could enter into competition with the whole world at an exposition 6,000 miles away and carry off such laurels is high praise

indeed for the marvelous resources and splendid products of this favored State upon the Pacific Coast.

Besides these 140 exhibitors, to whom awards were made as above stated, about 428 exhibitors are said to be entitled to certificates of awards because they participated in State collective exhibits which won grand prizes. These certificates, however, were not issued upon the individual merits of the exhibits, but by reason of the fact that they formed part of a collective exhibit which was awarded a grand prize.

VI—Sale of Medals.

On October 5, 1900, Secretary Varney W. Gaskill sent to the California exhibitors who were awarded medals letters stating that he would get such exhibitors gold medals for $25 each, silver medals for $20 each, or bronze medals for $15 each. The letters fully justified exhibitors who sent money in believing that they would receive the official medals, and that if the exhibitors did not send the money quickly they would have to wait a long time for the medals, as the letters stated that "42,000 have to be struck off at 300 per day." In these letters Gaskill requested the exhibitors to make exchange payable to himself.

According to the testimony, the commissioners left this matter of procuring medals in the hands of Secretary Gaskill, to whom about forty-eight exhibitors sent drafts, in accordance with the letters, amounting to about $1,410. Gaskill claims to have indorsed these drafts over to L. A. Emlay, Superintendent of California Exhibits, and Emlay in turn claims to have cashed the drafts and gone to one M. Lathoud Ame and bought of him medals at the prices quoted in the letters. These medals he has brought home and distributed to those who sent Gaskill the money. None of these medals (the cost of which is uncertain) have the inscription of the successful exhibitors upon them, as is usual at all expositions.

These medals were not made by the French Government, but by the said M. Lathoud Ame, who claims to have been granted the privilege of making them by the engraver.

There is probably not now a real official medal in the possession of any California exhibitor who had an exhibit at the Paris Exposition. Such exhibitors, however, to whom awards were made can yet get the official medal from the French authorities by writing Alfred Picard, Paris, France, through J. H. Gore, U. S. Juror-in-Chief, Columbia University, Washington, D. C., and accompanying such request with the fee which the French Government is charging for such medals. This is $145 for the best gold medal and $5 for the best silver medal. The bronze medals are furnished gratuitously by the exposition administration. U. S. Juror-in-Chief J. H. Gore writes that the French Mint is now ready to strike off such medals when the requests are received. Fortunately, the juggling in medals in nowise impairs the value of the prizes or awards won at the exposition.

The testimony indicates that the grossest fraud has been committed upon the exhibitors, and it is incumbent upon the Commission to see that each exhibitor so defrauded by these non-official medals should be gotten regular official medals from the French authorities, or the money sent to Gaskill by exhibitors returned, as the individual exhibitors may elect. The commissioners are morally and by their bonds should be legally bound to make good to exhibitors in full for the frauds of employés.

We think that this entire medal transaction is a matter for some judicial tribunal to take cognizance of.

VII—Other Questionable Methods.

It also appears from the evidence that Superintendent Emlay, by misrepresentations, secured thirteen contracts to work for exhibitors. He used his position as an employé of the Commission to force these contracts, and his testimony before your committee was as crooked as his transactions. However, these contracts were not consummated, so far as your committee was able to learn, because Commissioner Foote refused to allow Emlay to proceed, when the Los Angeles Chamber of Commerce called attention to the proposed "graft."

The turning over of all the goods at the close of the exposition by Secretary Gaskill to L. A. Emlay, and his report that he sold them all for $460, also has a suspicious look.

The friction between Commissioners Foote and Truman cropped out all along the investigation. Although Truman had sent back many letters regarding the conduct of the Commission in Paris, the committee was not able to get his testimony, for the reason that he has not returned to America. He not being present to answer reflections that were made as to his conduct, your committee makes no report in regard thereto except to call attention to a letter sent by Commissioner Truman to U. S. Judge Erskine M. Ross of Los Angeles, in which said Truman offers to use about $400 of the State's money to pay the salary of Mr. Robert Ross as an attaché of the Commission for four months, during which he performed no services by reason of, as he claims, an unjustifiable discharge. The testimony of Mr. Robert Ross shows that Commissioner Truman made the offer, but it was refused.

Conclusion.

The Act gave the Commissioners unlimited powers and full control of the money for the purposes for which it was appropriated, and neither the Board of Examiners nor the Governor had anything to do with the money. It is hoped that the loose wording of the Act will be a standing warning to all future Legislatures to exercise more care and caution in the preparation of Acts appropriating public money.

In conclusion, your committee reminds this body of lawmakers that, although the horse is gone, yet the barn door should be locked by carefully worded laws in future appropriations.

J. W. BLISS, Chairman.
W. S. MELICK.
M W. BRADY.
EDWARD F. TREADWELL
FRED L. STEWART
S. W. IRVING.
D W. HASSON.

Ordered printed in the Journal.

SENATE SPECIAL FILE.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division.

Mr. Johnson moved to refer Senate Bill No. 144 to a select committee of one, with instructions to amend as follows:

Strike out the word "ten," in line four of Section 2 of the printed bill, and insert in lieu thereof the words "a majority."

So ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report and amendment adopted.

Senate Bill No. 144 ordered to print and on file for final passage.

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 115 as follows:

In lieu of Section 13 of the printed bill insert the following:

"SEC. 13. Any ordinance establishing a library adopted under the provisions of section one of this Act may be repealed by the body which adopted the same upon being requested to do so by one half of the electors of such municipal corporations in the manner provided in section two of this Act, and upon such repeal of such ordinance, this Act shall cease to be operative within such municipal corporation."

So ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee

Report and amendment adopted.

Senate Bill No. 115 ordered to print and on file for final passage.

Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Passed on file, pending correction of amendment.

Senate Bill No. 268—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered for the State Quarantine Office, as messenger and clerk therefor, during the year 1900 (from January, 1900, to September, 1900, inclusive).

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 268.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 268 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 268—An Act to make an appropriation to pay the claim of John S Wilkins for services rendered for the State Quarantine Office, as messenger and clerk therefor, during the year 1900 (from January 1900, to September, 1900, inclusive)—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 268 ordered to third reading.

Senate Bill No. 161—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort and for improving the grounds about said fort.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Cowan, Cromwell, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wilhams, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

MOTION.

Mr. Kelley moved that when the Assembly adjourn to-day, it be until next Monday at ten o'clock A. M.

Roll call was demanded by Messrs. Johnson, Bliss, and Fisk.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Bliss, Brady, Butler, Carter, Chandler, Dunlap, Feliz, Fisk, Franklin, Gans, Guilfoyle, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, John, Kelley, Kincaid, Knight, Macbeth, Mattos, McNeil, Milice, Miller, Radcliff, Ralston, Roberts, Schilig, Simpson, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—42

NOES—Messrs. Atherton, Barnes, Berry, Broughton, Brown of San Mateo, Chiles, Clarke, Cowan, Cromwell, Duryea, Evatt, Foster, Greer, Johnson, Knowland, Laird Levinson, McWade, Melick, Myers, Ray, Rutherford, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, and Williams—27.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 302—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior

Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole with the Speaker in the chair, for the purpose of considering Senate Bill No. 302.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 302 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 302—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 302 ordered to third reading.

RESOLUTION—(OUT OF ORDER).

By Mr. Bauer:

Resolved, That the privileges of the Assembly Chamber be accorded the Hon. D. M. Delmas on Monday afternoon, February 18, 1901, immediately after adjournment, for the purpose of addressing the members of the Senate and Assembly on the question of establishing a redwood park in behalf of the members of the Sempervirens Club.

Resolution read and adopted.

Senate Bill No. 210—An Act to repeal an Act entitled "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," approved March 9, 1897.

Read second time, and ordered to third reading.

Senate Bill No. 220—An Act to amend Section 1021 of the Code of Civil Procedure of this State, relating to compensations and liens of attorneys.

Read second time.

The following committee amendment were submitted:

Strike out the words "service of," in line ten of the printed bill, and insert in lieu thereof the words "cause of action set up in said"

Senate Bill No. 220 ordered to print and third reading.

Senate Bill No. 244—An Act to amend an Act entitled "An Act to require an inventory of State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Read second time, and ordered to third reading.

Senate Bill No. 68—An Act to add a new section to the Penal Code

of the State of California, to be known as Section 344, and to repeal Section 502 of the Penal Code of the State of California, relating to persons carrying on the business of junk-dealers, and persons acting as their agents.

Read second time, and ordered to third reading.

Senate Bill No. 70—An Act to amend Section 600 of the Penal Code of California, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Read second time, and ordered to third reading.

Senate Bill No. 246—An Act to amend Section 638 of the Civil Code of the State of California.

Read second time, and ordered to third reading.

At two o'clock and fifty-five minutes P. M., Speaker pro tem. Ralston was called to the chair.

UNFINISHED BUSINESS.

The question being on the motion of Mr. Anderson of Solano to appoint a select committee to amend Assembly Bill No. 361.

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

AYES—Messrs. Anderson of Solano, Berry, Butler, Chiles, Cowan, Cromwell, Duryea, Evatt, Feliz, Greer, Hanen, Irving, John, Kincaid, Schilig, Simpson, Stewart of San Diego, and Webber—18.

NOES—Messrs. Atherton, Barnes, Bennink, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Dunlap, Foster, Gans, Haley, Hasson, Irish, James, Johnson, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—42.

Mr. Anderson of Solano moved that a select committee of one be appointed to amend Assembly Bill No. 361 as follows:

Amend by adding at the end of Section 1 the following: "*provided*, that nothing in this section shall prohibit the killing of a meadow-lark by the owner or tenant of any premises where such bird is found destroying berries, fruit, or crops growing on such premises."

So ordered.

Mr. Anderson of Solano was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section to Title XV, to be known as Section 637*a*, for the protection of meadow-larks—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

ALDEN ANDERSON, Committee.

Report and amendment adopted.

Assembly Bill No. 361 ordered to print.

Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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 roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Hanen, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Miller, Radcliff, Ralston, Ray, Ruther-

ford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Wright—47.

NOES—None.

Title read and approved.

Mr. Fisk moved that the Assembly do now consider Governor's messages.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 15, 1901.

To the Assembly of the State of California

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 14, entitled "An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock, dogs, and animals except for medicinal purposes, making the same a felony, and providing for the punishment thereof."

Notwithstanding the laudable effort of the framers of this measure to punish the drugging of animals, and of fraudulently tampering with animals entered in races and competitions for prizes, the bill uses such extensive language as to make criminal the most innocent and even necessary acts.

Section 1 of the bill declares that "it shall be unlawful for any person or persons, except for medicinal purposes, to administer any poison, drug, medicine or *any other thing of any kind, character, or description*," to any "horse, stud, mule," etc., "or other livestock entered, or about to be entered, in any race upon any race-course in the State of California," etc., "or entered or about to be entered at or with any agricultural park * * * or other exhibition," etc.

In view of this ambiguous language, it may be doubtful what the owner or possessor of an animal would be permitted to administer, and whether healthy and necessary food and drink might not be included in the prohibition, unless the rule of legal interpretation be invoked that the presumption is against absurd consequences of legislation, and that these very general words must be restricted by the antecedent particular words At all events the character of the offenses desired to be prevented are not clearly enough defined

Section 2 of the bill declares that "it shall be unlawful for any person or persons to cause to be *taken by or placed upon or in the body* of any horse, stud, mule, ass, mare, horned cattle," etc., * * * "entered, or about to be entered, in any race upon any race-course," etc, "or with any agricultural park," etc, "*any sponge, wood, or foreign substance of any kind, character, or description*, with intent to *impede or affect* the speed, endurance, sense, health, physical condition, or other character or quality of such horse," etc.

It is again doubtful what offenses are designed to be prohibited by the general language of Section 2 inasmuch as foreign substances enter into the manufacture of harness, halters, saddles, sulkies, and wagons which will impede or affect the speed, endurance, and other qualities of horses, and even by invoking the legal rule against the intendment in legislation of absurd consequences, it is still doubtful what offenses are designed to be punished

Section 3 declares that a violation of any of the provisions of the bill shall be punishable in the "State's *penitentiary* [the word "prison" no doubt being intended] for a period of not less than one year nor more than five years."

While some of the offenses are of such a serious character as to demand penal legislation, yet I do not think that the general class of felonies should be thus unnecessarily enlarged, for even now under some of our extremely severe penal laws our State prisons are receiving many persons whose crimes should only be designated as misdemeanors It would seem to me in the present case that the offenses intended to be prohibited should be classed as misdemeanors, and not felonies.

If a proper bill be passed and presented to me defining clearly the offenses, and reducing their grade to misdemeanors, it will not meet with my disapproval.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 15, 1901.

To the Assembly of the State of California

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No 81, entitled "An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year"

Without expressing any opinion upon the advisability of increasing the present number of clerks in the office of the Attorney-General, I respectfully call your attention to the fact that the proposed Act is in the form of a general law, but it relates to and

should form part of Section 475 of the Political Code of the State, which section provides for the number of clerks in the office of the Attorney-General; and therefore, according to Sections 249 and 250 of said Political Code, a duty devolved upon the Judiciary Committee of your honorable body of codifying such subject, and reporting a substitute bill therefor.

The importance of having uniformity in the laws appears to me to require in this case compliance with said Sections 249 and 250 of the Political Code.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 15, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 56, entitled "An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year."

HENRY T. GAGE,
Governor of the State of California.

Mr. Johnson moved that Governor's messages be made special order for Monday, February 18, 1901.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Milice, Miller, Myers, Radcliff, Ralston, Ray, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Wright—52.

NOES—None.

Title read and approved.

Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along county roads for the use of pedestrians, and the wheeling thereon of such vehicles.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Ray, Roberts, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Wright—55.

NOES—None.

Title read and approved.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Mr. McNeil: Assembly Bill No. 763—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

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

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Revision and Reform of Laws, to which was referred Assembly Bill No. 120—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections—have had the same under consideration, and report the same back, and respectfully recommend that the bill accompanying this report be introduced as a substitute, and that such substitute do pass.

Your committee further reports that said Assembly Bill No. 120 embodies the suggestions made by the Commission for the Revision and Reform of the Law, as to the revision of the Penal Code, and embodied in their report heretofore filed with the Secretary of State.

That in considering said bill, your committee met in joint sessions with a like committee of the Senate.

That said substitute bill accompanying this report is substantially the same as Assembly Bill No. 120, and is introduced in the form of a substitute, for the reason that several of the provisions of the bill heretofore introduced were not adopted, and it was necessary to renumber the sections of the bill, which could not well be done in separate amendments.

Respectfully submitted.

TREADWELL, Chairman.

INTRODUCTION OF BILLS—(OUT OF ORDER).

By Committee on Revision and Reform of Laws: Assembly Bill No. 764—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read first time, and ordered placed on file.

Assembly Bill No. 120 withdrawn by author.

By Mr. Atherton: Assembly Bill No. 765—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments."

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

The Committee on Ways and Means were excused for the day to attend committee meeting.

NOTICE OF RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby the amendment of Mr. Anderson of Solano to Assembly Bill No. 361 was this day adopted.

MOTION TO ADJOURN.

At four o'clock and fifteen minutes P. M., Mr. Laird moved to adjourn. Motion lost.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 321—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 roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Broughton, Brown of San Mateo, Carter, Clarke, Cromwell, Dunlap, Foster, Greer, Haley, Hasson, Johnson, Kincaid, Levinson, Milice, Miller, Myers, Ray, Rutherford, Walker, Williams, and Wright—24.

NOES—Messrs. Anderson of Santa Clara, Berry, Bliss, Butler, Chiles, Cowan, Duryea, Evatt, Feliz, Franklin, Gans, Hanen, Irish, John, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Radcliff, Ralston, Roberts, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, and Webber—31.

NOTICE OF RECONSIDERATION.

Mr. Melick gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 321 was this day refused passage.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 474—An Act to prevent fraud in the sale of Paris green used as an insecticide.

Assembly Bill No. 44—An Act to amend Sections 2568, 2570, and 2571 of the Political Code, and to repeal Section 2569 of the Political Code, all relating to the Harbor Commissioners for the Port of Eureka, and to add two new sections to the Political Code, to be known as Sections 2569 and 2569½, also relating to the Harbor Commissioners for the Port of Eureka.

And presented same to the Governor at two o'clock and forty minutes P. M.

G. H. ANDERSON, Acting Chairman.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the accompanying report and resolution:

"ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

"MR SPEAKER: Your Committee on Public Buildings and Grounds, authorized to visit and inspect the State Normal School, and proposed site therefor, at San Francisco; the State Normal School at San José; the Ladies' Relief Corps Home at Evergreen, Santa Clara County; the original State Capitol, called Colton Hall, at Monterey; and the old United States Custom House at Monterey, hereby report that said committee have visited and inspected said institutions, and reported upon measures before the committee carrying appropriations therefor, and hereby present the bill of expense of said visits—mileage as follows, to wit:

Rutherford	$44 80
Barnes	44 80
John	44 80
Butler	44 80
Hourigan	44 80
Foster	44 80
McWade	44 80
Feliz	44 80
McLoughlin	44 80
Reeber	44 80
Knight	44 80
Jensen (clerk)	44 80
Total	$537 60

"Wherefore, your committee present and ask the adoption of the following resolution:

"*Resolved*, That the Controller be and he is hereby directed to draw his warrant upon the fund for the payment of the contingent expenses of the Assembly in favor of F. M. Rutherford, chairman of the Assembly Committee on Public Buildings and Grounds, for $537.60, as per foregoing statement, and the Treasurer is directed to pay the same.

"RUTHERFORD, Chairman."

The said trip having been made Saturday, the 9th day of February, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

EVATT, Chairman.

Report and resolution adopted.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KELLEY, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 136—An Act to amend Section 1665 and to repeal Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State—have had the same under consideration, and respectfully report the same back, with a substitute, and recommend that the substitute do pass

GANS, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Education: Assembly Bill No. 766—An Act to amend Section 1665 and to repeal Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Read first time, and ordered placed on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Public Morals, authorized to visit certain places of amusements, having visited said places in San Francisco, herewith present the account of expenses of the members of the committee, as follows:

Webber	$18 80
McNeil	18 80
McWade	18 80
Brady	18 80
Savage	18 80
Hubbard (substitute for Simpson)	18 80
Milice (substitute for Ray)	18 80
Crowley (clerk)	18 80
Total	$150 40

And we ask the adoption of the following:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Ed L. Webber, chairman of Committee on Public Morals, for the sum of $150.40, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

WEBBER, Chairman.

Referred to Committee on Mileage.

LEAVE OF ABSENCE.

Leave of absence was granted to Mr. Chandler until twelve o'clock M. Monday, February 18, 1901.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Mr. Stewart of San Diego, the Assembly adjourned until Monday, February 18, 1901, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 18, 1901.

The Assembly met at ten o'clock A. M., pursuant to adjournment. Speaker pro tem. Ralston in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—74.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence for the day was granted Messrs. Bliss, Mattos, Broughton, Roberts, Reeber, Franklin, Cowan, and Savage.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of $1,039.12 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay for articles as per following bills attached:

Mrs. C. McCall	$4 50
D. Johnston & Co.	18 00
W. L. Reed	28 00
Buffalo Brewing Co	10 00
Siller Bros	5 00
Siller Bros	5 00
Capital Telephone Co.	21 00
Thos. Scott	27 50
Thos. Scott	28 75
United Typewriter Supply Co.	36 00
Thos. Scott	41 00
D. Johnston & Co	1 20
Locke & Lavenson	11 05
Locke & Lavenson	67 75
Ahl & Daily	67 25
H. S. Crocker Co.	388 17
John Breuner Co.	220 15
John Pullford	58 80
Total	$1,039 12

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FISK, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 16, 1901

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit their report for the week ending Saturday, February 16, 1901, as follows:

Bills Referred to this Committee Since Last Report.

Feb. 11,	Assembly Bill No. 690—Making an appropriation to pay deficiency in the appropriation for postage and contingent expenses of the Clerk of the Supreme Court for the fiftieth fiscal year	$200 00
12,	Assembly Bill No. 682—To establish a State highway between Hollister and Salinas	20,000 00
12,	Senate Bill No 165—Making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds	3,000 00
13,	Assembly Bill No. 238—Making an appropriation for repairs at the Woman's Relief Corps Home, at Evergreen, for ex-army nurses, and indigent widows, wives, mothers, and dependent daughters of Union veterans, etc.	1,500 00
13,	Assembly Bill No. 258—To provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's, to Tahoe City, and making an appropriation therefor	36,000 00
13,	Assembly Bill No. 263—Authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, etc.	
14,	Assembly Bill No 41—To provide for a segregated hospital building, and for further equipping the Deaf, Dumb, and Blind Asylum at Berkeley	10,800 00
14,	Assembly Bill No. 253—Making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount therein appropriated from the General Fund to said Adult Blind Fund	5,612 27
14,	Assembly Bill No. 272—Making an appropriation for the erection of a workshop at the Industrial Home of Mechanical Trades for the Adult Blind	15,000 00
14,	Assembly Bill No. 421—Making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital for the construction of the necessary machinery, etc, of an ice-manufacturing plant, etc., for the State Hospital at the City of Stockton, etc.	6,000 00
14,	Assembly Bill No. 422—Making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital to pay for constructing a roof on the building of the female department of the State Hospital, etc., Stockton	15,000 00
14,	Assembly Bill No. 423—Making an appropriation of $4,000 to be used by the Board of Managers of Stockton State Hospital to pay for constructing a concrete sidewalk	4,000 00
14,	Assembly Bill No 64—To provide for the erection of a modern hospital building for the Veterans' Home at Yountville, etc., and appropriating money therefor	50,000 00
14,	Senate Bill No. 238—To pay the claim of Thomas J. Walsh for conveying the election returns of Presidential Electors to Sacramento	25 20
14,	Assembly Bill No 610—Appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms, etc., by the inmates of the Industrial Home of the Adult Blind	10,000 00
14,	Assembly Bill No. 679—To provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property	4,200 00
14,	Assembly Bill No. 244—Appropriating $100,000 for the erection of buildings for the use of the San Francisco State Normal School	100,000 00
14,	Assembly Bill No. 601—To appropriate the sum of $213.36 to pay the claim of C. A. Williams, etc	213 36
14,	Assembly Bill No 286—To provide for the appointment of a Board of Colton Hall Trustees, and for the possession of the Colton Hall property, and providing for an appropriation for the improvement and protection of said property	2 500 00

Feb. 14, Assembly Bill No. 280—Making an appropriation to pay the claim of Thomas O. Toland for mileage attending as a Trustee of the State Normal School of San Diego the meetings of the Joint Board of Normal School Trustees, etc., at San José, etc., at Los Angeles, etc., and at Sacramento, etc.	$223 00
14, Assembly Bill No. 634—Appropriating $300 to pay the reward to C. W. King for the arrest of "Indian Dick Hutchings," etc.	300 00
14, Assembly Bill No. 655—Appropriating money for the payment of claims against the State arising in El Dorado and Amador counties for coyote scalps	3,000 00
14, Assembly Bill No. 662—Claim of the Berkeley "World-Gazette"	98 00
14, Assembly Bill No. 708—Making an appropriation of $50,000 for the University of California, and directing the special purpose therefor.	50,000 00
14, Assembly Bill No. 709—Making an appropriation of $200,000 for the support and maintenance of the University of California	200,000 00
14, Assembly Bill No. 710—To provide for a continuous appropriation for the support and maintenance of the University of California	200,000 00
15, Senate Bill No. 19—To regulate the sale of commercial fertilizers	1,000 00
15, Assembly Bill No. 506—Making an appropriation to pay for an air compressor and a turning lathe for State Prison at Folsom	9,000 00
15, Assembly Bill No 565—To provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor	20,000 00
15, Assembly Bill No. 737—Making an appropriation of $2,500 to be used by the Board of Managers of Stockton State Asylum to repair boilers	2,500 00
	$770,171 83

Bills Reported Favorably.

Feb. 15, Senate Bill No 263	
12, Assembly Bill No. 394	$30,000 00
13, Assembly Bill No. 367	
12, Assembly Bill No. 606	1,125 00
12, Assembly Bill No. 584	10,000 00
11, Senate Bill No 161	20,000 00
13, Assembly Bill No. 526	1,566 67
12, Assembly Bill No. 624	211 61
	$62,903 28

Bill Reported Unfavorably.

Feb. 12, Assembly Bill No. 682	$20,000 00

Bill Reported Without Recommendation.

Feb. 14, Assembly Bill No. 218	$3,000 00

Bills Withdrawn.

Feb. 13, Assembly Bill No. 193	$79 50
12, Assembly Bill No. 125	20,000 00
	$20,079 50

Recapitulation.

Total appropriations referred to this committee to date	$2,992,239 99
Total appropriations reported favorably	543,927 71
Total appropriations reported unfavorably	411,000 00
Total appropriations reported without recommendation	68,532 35
Total appropriations reported with the recommendation that they be withdrawn	249,473 25
Total appropriations remaining in the hands of the committee	1,719,306 68

Respectfully submitted.

FISK, Chairman.

Reading of report dispensed with, and ordered printed in the Journal.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets—report the same back with recommendation that it do pass.

Also: Assembly Bill No 228—An Act to add a new section to the Penal Code of the State of California, to be known as Section 327, relating to witness' privilege in lottery cases—report the same back with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No. 69—An Act to repeal Sections 632, 633, and 634 of the Code of Civil Procedure of the State of California, relating to findings of fact and conclusions of law in civil actions—report the same back without recommendation.

Also: Assembly Bill No. 70—An Act to amend Section 1732 of the Code of Civil Procedure of the State of California, relating to Public Administrators instituting suits and prosecutions to recover property, debts, and papers of decedent—report the same back with three amendments, and recommend that it do pass as amended.

Also. Assembly Bill No. 399—An Act to add a new section to the Penal Code of the State of California, to be known and designated as Section 71½, relating to the appropriation or donation, or voting to appropriate or donate any public funds by any officer or member of any public board for any purpose not required or permitted by law, and providing a punishment therefor—report the same back with the recommendation that it do pass

Also: Assembly Constitutional Amendment No. 19—Relative to the elective franchise extending to females—report the same back by a majority vote, and with seven amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to the National Guard—report the same back with the recommendation that it do not pass.

JOHNSON, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Fish and Game beg leave to report that they have visited the State Fish Hatchery at Sissons, as directed by your honorable body, and herewith present a bill of expense as follows:

Higby	$50 80
Anderson	50 80
Hasson	50 80
McNeil	50 80
Bauer (substitute for Brown)	50 80
Williams	50 80
Sutro	50 80
Gehring (substitute for Pomeroy)	50 80

And ask that the following be adopted:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of Wm. Higby for the sum of $406 40, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

HIGBY, Chairman.

Report and resolution read, and referred to Committee on Mileage.

ON PUBLIC LANDS AND FORESTRY.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901

MR. SPEAKER: Your Committee on Public Lands and Forestry, to whom was referred Assembly Bill No. 616—An Act to add a new section to the Political Code, and to provide for the waiver and release to the United States by this State of its right, title, and interest in certain sixteenth and thirty-sixth sections of land.

Also: Assembly Bill No. 631—An Act entitled "An Act to amend Section 3494 of the Political Code of the State of California, providing for the amount of the purchase price and the time and terms of payment of school lands belonging to the State of California"

Also: Senate Bill No 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations

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

JOHN, Chairman.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Assembly Bill No. 9—An Act to regulate the sale of the products of crude oil or petroleum that are used for illuminating and fuel purposes—recommend that the author be allowed to withdraw his bill, and that the enclosed committee substitute take its place on file—have had said substitute under consideration, and respectfully report the same back, and recommend that it do pass.

RALSTON, Chairman.

Assembly Bill No. 9 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Mines and Mining Interests: Assembly Bill No. 767 (Substitute for Assembly Bill No. 9)—An Act to add a new section to

the Penal Code, to be numbered 380*a*, to regulate the making, identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes.

Read first time, and placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 391—An Act to add a new section to the Political Code of the State of California, to be known as Section 1674, providing for the formation of union school districts and the maintenance therein of union schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GANS, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 130—An Act to provide for the construction of a free wagon road from Los Baños, in Merced County, to Hollister, in San Benito County, along the line of the road in Merced County known as the Los Baños and Stayton Mine Road, and along the most direct public road from Stayton Mine to the town of Hollister, and making an appropriation therefor.

Assembly Bill No 223—An Act to regulate the catching of abalones within this State.

Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles, and providing a penalty for the violation of same

BERRY, Acting Chairman.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, authorized to visit the various State Hospitals in this State, having visited the Agnews State Hospital, situated at Agnews, Santa Clara County, herewith present their bill of expenses for the trip, as follows:

J. A. Bliss	$24 40
Martin W. Brady	24 40
Edward F. Treadwell	24 40
F. L. Stewart	24 40
S. W. Irving	24 40
G. S. Walker	24 40
W. B Reynolds (clerk)	24 40
Total	$170 80

And we ask the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of John A Bliss, Chairman of the Committee on Commissions and Public Expenditures, for the sum of $170 80, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly

TREADWELL, Acting Chairman.

Report and resolution read and adopted.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 9, 1901

MR SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 512—An Act to protect domestic fowls from ravages of dogs—have had the same under consideration, and respectfully report the same back without recommendation

Also: Assembly Bill No 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 401—An Act for the better protection of agricultural interests by restricting the licensing by counties of cultivation of the soil and of the raising

of domestic stock—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

C. R. STEWART, Chairman.

Assembly Bill No. 512 withdrawn by author.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 15, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 12—An Act to validate certain acts and proceedings had under an Act of the Legislature of the State of California, entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Also: Senate Bill No. 53—An Act entitled "An Act to amend Section 2032 of the Code of Civil Procedure of the State of California, relating to the manner of taking depositions in this State."

Also: Senate Bill No. 205—An Act to pay the claim of Ed E. Leake against the State of California.

Also: Senate Bill No. 235—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

Also: Senate Bill No. 320—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendment thereto.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 12—An Act to validate certain acts and proceedings had under an Act of the Legislature of the State of California, entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands," approved March 31, 1897.

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

Senate Bill No. 53—An Act entitled "An Act to amend Section 2032 of the Code of Civil Procedure of the State of California," relating to the manner of taking depositions in this State.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 205—An Act to pay the claim of Ed E. Leake against the State of California.

Read first time, and referred to Committee on Claims.

Senate Bill No. 235—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

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

Senate Bill No. 320—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 35—An Act to amend an

Act entitled an Act to establish a Penal Code, approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Also: Senate Bill No. 105—An Act to amend Section 737 of the Political Code, relating to salaries of Superior Judges.

Also: Senate Bill No. 123—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.

I am also directed to inform your honorable body that the Senate on this day receded from Senate amendments to Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties, and providing for their compensation, and repealing the Act entitled "An Act to authorize the Board of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of the State to appoint Inspectors of Apiaries, and provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Assembly Bill No. 254 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 339—An Act to amend Section 3051 of the Civil Code of the State of California, in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business.

Also: Senate Bill No 409—An Act to amend Section 963 of the Code of Civil Procedure.

Also: Senate Bill No. 455—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863; and to repeal an Act amendatory thereof, entitled 'An Act to amend an Act entitled an Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

Also: Assembly Bill No 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

F. J. BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary.

Senate Bill No. 339—An Act to amend Section 3051 of the Civil Code of the State of California in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 409—An Act to amend Section 963 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 455—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863; and to repeal an Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

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

Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

Assembly Bill No. 269 ordered to enrollment.

SUBSTITUTION OF BILLS.

Mr. Johnson moved to substitute Senate Bill No. 205 for Assembly Bill No. 262, they being identical.

So ordered.

Mr. Irish moved that Senate Bill No. 320 be substituted for Assembly Bill No. 403, they being identical.

So ordered.

MOTIONS.

Mr. Carter moved that consideration of Assembly Bill No. 81 be postponed and made special order for Thursday, February 21, 1901.

So ordered.

Mr. Melick asked and was granted unanimous consent to withdraw notice of reconsideration *in re* Assembly Bill No. 321.

SPECIAL ORDERS.

Assembly Bill No. 626 (Committee Substitute for Assembly Bill No. 118)—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read second time, and passed on file, pending amendments.

Assembly Bill No. 683 (Committee Substitute for Assembly Bill No. 119)—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read second time, and passed on file, pending amendments.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. Knowland: Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice; said section to be numbered 181.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 770—An Act empowering and authorizing the Board of State Harbor Commissioners to insure, against loss or damage by fire, the property of the State of California located on the water front at San Francisco, California.

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

By Mr. Stewart of San Diego: Assembly Bill No. 771—An Act to provide for making premiums or costs of procuring corporations authorized by law to become sureties on the official bonds of county officers, when paid by such officers, county charges to be allowed and paid as other county charges.

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

By Mr. Brown of San Mateo: Assembly Bill No. 772—An Act appropriating money for the payment of claims against the State arising in the county of San Mateo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and prescribing the duties of the State Board of Examiners in relation to payment of such claims.

Read first time, and referred to Committee on Claims.

By Mr. Berry: Assembly Bill No. 773—An Act to change and permanently locate the boundary line between the counties of Del Norte and Siskiyou.

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

By Mr. Bliss: Assembly Bill No. 774—An Act to amend Sections 419, 437, 447, 449, and 450 of the Civil Code, relating to insurance corporations.

Read first time, and referred to Committee on Judiciary.

By Mr. Sheridan: Assembly Bill No. 775—An Act to amend Section 204 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

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

By Mr. Treadwell: Assembly Bill No. 776—An Act to amend Section 1 of 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.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 777—An Act to amend an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897.

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

MOTION.

Mr. Carter moved to consider second-reading file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 440—An Act to amend Sections 25 and 52 of an Act entitled "An Act to establish a uniform system of county and township government," approved April 1, 1897, relating to powers of Supervisors of counties.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 209—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read second time.

Mr. Schlesinger moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 209.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 209 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 209—An Act to pay the claim of Major José Ramon Pico, and making an appro-

priation therefor—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 209 ordered to engrossment and third reading.

Assembly Bill No. 222—An Act to repeal an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California," approved March 21, 1887.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 225—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a trout hatchery, and providing ways and means therefor.

Read second time, ordered to engrossment and third reading.

Mr. Anderson of Solano, at request of author, moved to substitute Assembly Bill No. 645 for Assembly Bill No. 288.

So ordered.

Assembly Bill No. 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation.

Read second time, ordered to engrossment and third reading.

Mr. Sutro moved to substitute Assembly Bill No. 360 for Assembly Bill No. 75.

So ordered.

Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by adding, after the word "child," in line seven, the words, "under the age of sixteen years."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the last word in line eight of the printed bill.

Amendment adopted.

Assembly Bill No. 360 ordered to print, engrossment, and third reading.

Assembly Bill No. 466—An Act to repeal Section 1402 of the Civil Code of the State of California, relating to the succession of community property.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 518—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 103—An Act to amend Section 3839 of the Political Code of the State of California, relating to poll tax.

Mr. Johnson moved that Assembly Bill No. 103 be refused second reading.

So ordered.

Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway, commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Irish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 584.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 584 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway, commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Irish Ranch road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Irish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County, creating the Alameda-Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title by striking out the word "Irish" and inserting in lieu thereof the word "Fish," in printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend title by striking out the word "salaries" and inserting in lieu thereof the word "duties," in printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1, page one, line six, printed bill, by striking out the word "Irish," and inserting in lieu thereof the word "Fish."

Amendment adopted.

Assembly Bill No. 584 ordered to print, engrossment, and third reading.

Assembly Bill No. 379—An Act prescribing the conditions upon which corporations organized under the laws of any State or county, other than the State of California, may be permitted to transact a telephone business, other than an interstate telephone business, within the State of California, and prescribing a penalty for the violation of this Act.

Read second time.

The following committee amendments were submitted:

AMENDMENT No 1.

Amend Section 1 by inserting, after the word "business," in line thirteen, the following: "and in like manner and to the same extent as similar corporations may do which are organized under the laws of this State."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2 by striking out the comma after the word "agreement," in line fourteen, and inserting in place thereof a period.

Amendment adopted.

AMENDMENT No. 3.

Amend Section 2 by striking out all of said section after the word "agreement," in line fourteen.

Amendment lost.

AMENDMENT No. 4.

Amend Section 3 by striking out all of said section after the word "State," in line six, and inserting in lieu thereof the following: "the sum of $5,000, and said sum so paid shall be in lieu of all State, county, and municipal taxes and licenses for such year"

Amendment lost.

AMENDMENT No. 5.

Amend Section 4 by striking out the period after the word "issuance," in line three, and inserting in place thereof a semicolon.

Amendment adopted.

AMENDMENT No. 6.

Amend Section 4 by inserting after the word "issuance," in line three, the following: "but such certificate shall be annually renewed upon the payments being made as provided in Section 3 of this Act."

Amendment adopted.

AMENDMENT No. 7.

Strike out Section 5.

Amendment lost.

Assembly Bill No. 379 ordered to print, engrossment, and third reading.

Assembly Bill No. 100—An Act providing for the publication of legal or official advertising.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the title and inserting in lieu thereof the following: "An Act to amend Sections 692, 1303, 1490, 1547, and 1549 of the Code of Civil Procedure, relating to the publication of legal notices."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of Sections 1, 2, and 3, and inserting in lieu thereof the following:

"SECTION 1. Section six hundred and ninety-two of the Code of Civil Procedure is amended to read as follows:

"Section 692. Before the sale of property on execution, notice thereof must be given as follows:

"1. In case of perishable property, by posting written notice of the time and place of sale in three public places of the township or city where the sale is to take place, for such time as may be reasonable, considering the character and condition of the property;

"2 In case of other personal property, by posting a similar notice in three public places in the township or city where the sale is to take place, for not less than five nor more than ten days;

"3 In case of real property, by posting a similar notice, particularly describing the property, for twenty days, in three public places of the township or city where the property is situated, and also where the property is to be sold, by publishing a copy thereof, once a week for the same period, in some newspaper of general circulation published in the township or city where the property is situated, if there be one, and if there be no such newspaper published in the township or city, then in such newspaper as the Court will direct.

"SEC. 2. Section thirteen hundred and three of the Code of Civil Procedure is amended so as to read as follows:

"Section 1303 When the petition is filed and the will produced, the Clerk of the Court must set the petition for hearing by the Court upon some day not less than ten nor more than thirty days from the production of the will. Notice of the hearing shall be given by such Clerk by publishing the same in a newspaper of the township or city where the decedent resided; if there is none, then by three written or printed notices posted in three of the most public places in the township or city. If the notice is published in a weekly newspaper, it must appear therein on at least three different days of publication; and if in a newspaper published oftener than once a week, it shall be so published that there must be at least ten days from the first to the last day of the publication, both the first and last day being included. If the notice is by posting, it must be given at least ten days before the hearing

"SEC. 3. Section fifteen hundred and forty-seven of the Code of Civil Procedure is amended to read as follows:

"Section 1547. When a sale is ordered, and is to be made a public auction, notice of the time and place of sale must be posted in three of the most public places in the township or city in which the land is situated, and published in a newspaper of general circulation if there be one printed in the same township or city in which the real estate to be sold is situated; but if none, then in such paper as the Court may direct, for three weeks successively next before the sale; the land and tenements to be sold must be described with common certainty in the notice.

"SEC 4 Section fourteen hundred and ninety of the Code of Civil Procedure is hereby amended so as to read as follows:

"Section 1490 Every executor or administrator must, immediately after his appointment, cause to be published in some newspaper of the township or city, if there be one in which the decedent resided; if not, then in such newspaper as may be designated by the Court, a notice to the creditors of the decedent, requiring all persons having claims against him, to exhibit them, with the necessary vouchers, to the executor or administrator, at the place of his residence or business, to be specified in the notice; such notice must be published as often as the Judge or Court shall direct, but not less than once a week for four weeks; the Court or Judge may also direct an additional notice by publication or posting In case such executor or administrator resigns, or is removed, before the time expressed in the notice, his successor must give notice only for the unexpired time allowed for such publication.

"SEC 5. Section fifteen hundred and forty-nine of the Code of Civil Procedure is hereby amended so as to read as follows:

"Section 1549. When a sale of real estate is ordered to be made at private sale, notice of the same must be posted up in three of the most public places in the township or city in which the land is situated, and published in a newspaper, if there be one printed in the same township or city in which the land is situated, and if none, then in the county; if none, then in such paper as the Court or Judge thereof may direct, for two weeks successively next before the day on or after which the sale is to be made, in which the lands and tenements to be sold must be described with common certainty. The notice must state a day on or after which the sale will be made, and a place where offers or bids will be received. The day last referred to must be at least fifteen days from the first publication of notice; and the sale must not be made before that day, but must be made within six months thereafter. The bids or offers must be in writing, and may be left at the place designated in the notice, or delivered to the executor or administrator personally, or may be filed in the office of the Clerk of the Court to which the return of sale must be made, at any time after the first publication of the notice and before the making of the sale If it be shown that it will be for the best interest of the estate, the Court or Judge may, by an order, shorten the time of notice, which shall not, however, be less than one week, and may provide that the sale may be made on or after a day less than fifteen, but not less than eight, days from the first publication of the notice, in which case the notice of sale, and the sale, may be made to correspond with such order.

"SEC. 6. This Act shall take effect from and after its passage"

Amendment adopted.

Assembly Bill No. 100 ordered to print, engrossment, and third reading.

Assembly Bill No. 627—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits for violation of fish and game laws for the fifty-first and fifty-second fiscal years.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 627.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 627 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 627—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits for violation of fish and game laws for the fifty-first and fifty-second fiscal years—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 627 ordered to engrossment and third reading.

Assembly Bill No. 195—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read second time.

The following committee amendment was submitted:

Amend by inserting the word "as" in line sixty-eight, page three, printed bill, between the words "nearly" and "practicable."

Amendment adopted.

Assembly Bill No. 195 ordered to print, engrossment, and third reading.

Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 327—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863, and to repeal an Act amendatory thereof, entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 429—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 352—An Act to amend Section 2 of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 348 withdrawn by author.

Assembly Bill No. 349—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the officers of cities of the fifth class.

Read second time.

The following committee amendment was submitted:

Amend by inserting the words "an attorney," after the word "clerk," in line ten, page one, printed bill, and by inserting after line twenty-two the following:
"4. The city attorney elected shall be an ex officio city clerk."

Amendment adopted.

Assembly Bill No. 349 ordered to print, engrossment, and third reading.

Assembly Bill No. 326—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read second time.

Mr. Duryea moved that Assembly Bill No. 326 be re-referred to Committee on Judiciary for codification, and to retain its place on file.

Mr. Carter moved to amend by having bill reported back within two days.

So ordered.

RECESS.

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

REASSEMBLED.

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

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Read third time.

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

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Cromwell, Dunlap, Duryea, Foster, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Macbeth, Melick, Merritt, Ray, Reeber, Roberts, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—44.
NOES—None.

Title read and approved.

Senate Bill No. 6—An Act to amend Section 870 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the organization, incorporation, and government of municipal corporations.

Pending amendment by Mr. Johnson was withdrawn.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry Bliss, Brown of San Mateo, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Evatt,

Feliz, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Melick, Merritt, Milice, Myers, Ray, Reeber, Roberts, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Mr. Stewart of San Diego moved that Senate Bill No. 181 be re-referred to Committee on Irrigation.

So ordered.

Senate Bill No. 268—An Act to make an appropriation to pay the claim of John S. Wilkins for services rendered the State Quarantine Office as messenger and clerk therefor during the year 1900 (from January, 1900, to September, 1900, inclusive).

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins, Evatt, Feliz, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Laird, Macbeth, McLoughlin, Merritt, Milice, Reeber, Roberts, Stewart of San Diego, Treadwell, Walker, and Mr Speaker—44.

NOES—Mr. Hubbard—1.

Title read and approved.

Senate Bill No. 302—An Act making an appropriation to pay the judgment for $11,050, and accrued interest thereon, obtained in the Superior Court of the City and County of San Francisco on September 30, 1898, in an action in said court numbered 62,826, entered of record October 10, 1898, in Judgment Book 43, page 680, Department Four, now held by the California Bank, Oakland, assignee of J. C. Daly, plaintiff, against the State of California, defendant.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McWade, Melick, Merritt, Milice, Ray, Reeber, Roberts, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—51

NOES—None.

Title read and approved.

Senate Bill No. 210—An Act to repeal an Act entitled "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," approved March 9, 1897.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Bennink, Berry, Bliss, Chiles, Clarke, Collins, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Haley, Hasson, Irish, James, Johnson, Kincaid, Knight, Knowland, Laird, McNeil, McWade, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Schilling, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—42.

NOES—Mr. Hanen—1.

Title read and approved.

Senate Bill No. 220—An Act to amend Section 1021 of the Code of

Civil Procedure of this State, relating to compensations and liens of attorneys.

Read second time.

Mr. Johnson moved to amend as follows:

Insert after the word "lien," in line nine of the printed bill, the following: "for his compensation and for the money expended by him in the action for legal costs and disbursements"

Amendment adopted.

Senate Bill No. 220 ordered to print and third reading.

Senate Bill No. 244—An Act to amend an Act entitled "Act to require an inventory of State and county property, and directing that a record of the same be kept," approved February 9, 1897.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Reeber, Roberts, Rutherford, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 68—An Act to add a new section to the Penal Code of the State of California, to be known as Section 344, and to repeal Section 502 of the Penal Code of the State of California, relating to persons carrying on the business of junk-dealers, and persons acting as their agents.

Read third time.

The roll was called.

Pending announcement of the vote, Mr. Dunlap moved a call of the House.

So ordered.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Williams—59

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

So ordered.

The absentees were called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Foster, Gans, Hanen, Hasson, Higby, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Roberts, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Webber, and Williams—49

NOES—Messrs Brady, Brown of San Francisco, Butler, Cavagnaro, Collins, Evatt, Feliz, Fisk, Franklin, Guilfoyle, Haley, Henry, Hourigan, Hubbard, Irving, McLoughlin, Miller, Ray, Reeber, Schlesinger, Stewart of Amador, Walker, and Mr. Speaker—23.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Treadwell gave notice that on next legislative day he would move for reconsideration of the vote whereby Senate Bill No. 68 was this day passed.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution introduced by Mr. Johnson on February 15, 1901, having had said resolution under consideration, report the same back, and recommend that where in said resolution it now reads "one o'clock and thirty minutes P. M.," the same be changed to "two o'clock P. M.," and with the foregoing amendment, your committee recommend that the following resolution be adopted:

Resolved, That commencing Tuesday, February 19, 1901, the sessions of the House shall be held as follows, viz: From nine o'clock and thirty minutes A. M. to twelve o'clock M.; from two o'clock P M to four o'clock and thirty minutes P. M., and from seven o'clock and thirty minutes P. M to ten o'clock P. M., unless otherwise ordered by the House.

DUNLAP, Chairman.

Report and resolution read and adopted.

Mr. Treadwell moved that message from the Governor be taken up for consideration.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 18, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have this day received the following telegram from United States Senator Bard:

"WASHINGTON, D. C., February 18, 1901.

"GOVERNOR H. T. GAGE:

"Bill providing for the purchase or condemnation of Calaveras Sequoia Grove, having been passed by Senate, is opposed in House, but perhaps can be passed with amendment, providing that appropriation shall be available; *provided*, California assumes management and expense of maintenance and protection. Is it in your opinion advisable and practicable for Legislature to take early action in the matter?

"THOMAS R. BARD."

In view of the importance to California of the preservation of its splendid Sequoia forests, which command the admiration of the world, I respectfully suggest that your honorable body pass appropriate resolutions instructing our Senators and requesting our Representatives at Washington to assure Congress, in the event of the passage of a bill making an appropriation for the purchase or condemnation of the Calaveras Sequoia Grove, that the State of California will assume the management and expense of its maintenance and protection.

HENRY T. GAGE,
Governor of the State of California.

Read, and referred to Committee on Federal Relations.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 101—An Act to amend Section 2645 of the Political Code of the State of California

Also: Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 56 thereof, relating to Justices of the Peace in townships.

Also: Assembly Bill No. 471—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, fixing the salaries of officers in counties of the twentieth class.

Also: Assembly Bill No. 650—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 200 thereof, relating to county officers, their compensation and expenses in counties of the forty-third class.

Also: Assembly Bill No. 727—An Act to amend Section 2643 of the Political Code, relating to duties 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. 628—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known as Section 3388, relating to the collection of license taxes.

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. 589—An Act to amend Section 192 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back with the accompanying committee substitute therefor, and recommend that the substitute bill do pass and take place of said original bill No 589 on file, and that author be permitted to withdraw original bill.

McWADE, Chairman.

Assembly Bill No. 628 referred to Committee on Judiciary.

Assembly Bill No. 589 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 778 (Committee Substitute for Assembly Bill No. 589)—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 215—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 582—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Have had the same under consideration, and respectfully report the same back with the accompanying committee substitute therefor, and recommend that the substitute bill do pass and take place of Assembly Bill No. 215 on file, and that authors be permitted to withdraw original bills.

McWADE, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 779 (Committee Substitute for Assembly Bills Nos. 215 and 582)—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered placed at No. 246 on file.

MOTION.

Mr. Johnson moved that Senate Bill No. 215, this day reported, be re-referred to Committee on Judiciary.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER)—(RESUMED).

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, directed by resolution of January 22, 1901, to investigate the affairs of the California Commission

to the Paris Exposition, having completed their labors and presented their report, herewith present their bill of expenses incurred in said investigation, as follows:

SACRAMENTO, February 13, 1901.

	No. of Days at $2 00 per Day.	Amount.	Mileage.	Total.
W. W Foote, San Francisco	6	$12 00	$16 80	$28 80
E W. Runyon, Red Bluff	8	16 00	27 00	43 00
V. W. Gaskill, San Francisco	8	16 00	16 80	32 80
L A. Emlay, Oakland	8	16 00	18 20	34 20
A. Eckman, Oroville	8	16 00	23 60	39 60
W. E. Dargie, Jr., Oakland	3	6 00	18 20	24 20
Robert Ross, Los Angeles	5	10 00	95 60	105 60
A. A. Moore, Jr., Oakland	2	4 00	18 20	22 20
J A. Filcher, San Francisco	1	2 00	16 80	18 80
C. L. P. Marias, San Francisco	3	6 00	16 80	22 80
Fremont Older, San Francisco	1	2 00	16 80	18 80
Jos. D. Lynch, Los Angeles	2	4 00	95 60	99 60
A. J. Dennis, San Francisco	2	4 00	16 80	20 80
W. H. Mills, San Francisco	1	2 00	16 80	18 80
H. P. Stice, Red Bluff	1	2 00	27 00	29 00
Serving fifteen subpœnas				15 00
Special Messenger to Oakland			18 20	18 20
Special Messenger to San Francisco			16 80	16 80

Also, the following sundry bills:

SACRAMENTO, February 7, 1901.

Paris Investigation Commission to W. E. Moxon, Dr.

Hauling furniture from 10th and K Streets to State Capitol $2 00

SACRAMENTO, February 8, 1901.

Paris Investigation Commission to H. C. Muldox, Dr.

Rent of Grangers' Hall, 10th and K Streets, 12 days at $3 per day $36 00

SACRAMENTO, January 28, 1901.

Paris Investigation Commission to John Breuner Co., Dr.

Jan. 25—2 8-ft tables to order	$30 00
1 rotary chair	8 50
1 desk	15 00
1 table	5 00
26—6 cuspidors	3 60
1 rotary chair	7 50
28—1 rotary chair	7 50
	$77 10

SACRAMENTO, February 14, 1901.

Paris Investigation Commission to Sunset Telephone Company, Dr.

For out-of-town switches $15 00

SACRAMENTO, February —, 1901.

Paris Investigation Commission to Western Union Telegraph Co., Dr.

Feb. 5—Bliss to Emlay, Oakland	$0 85
7—Bliss to Mgr. Pullman Dept, Los Angeles	97
	$1 82

SACRAMENTO, February 13, 1901.

Paris Investigation Commission to W. S. Melick, Dr.

For actual expenses incurred by him in investigating Paris Commission .. $55 10

Items—

Fare to Port Costa (limited)	$2 30
Fare and berth, Port Costa to Los Angeles ("Owl")	17 50
Fare and berth, Los Angeles to Port Costa ("Owl")	17 50
Fare from Port Costa to Sacramento	1 80
Expenses to and from Los Angeles	6 50
Telegrams to J. H. Gore, Washington, $2.25; answers, $2.25	4 50
Incidental expenses—telegrams, telephone, postage, etc.	5 00
	$55 10

SACRAMENTO, February 13, 1901.

Paris Investigation Commission to J. A. Vaughn, Official Reporter, Dr.

To reporting, 8 days	$80 00
To transcribing, 2,316 folios	463 20
To three extra copies of same	694 80
Total	$1,238 00

SACRAMENTO, February 11, 1901.

Paris Investigation Commission to Charles F. Waymire, Dr.

To expense copying report of Committee *in re* Investigation of California Paris Commission: 2 original copies of 24 folios each—48 folios at 10c.	4 80
10 carbon copies of 240 folios at 5c.	12 00
Amount due	$16 80

SACRAMENTO, February 15, 1901.

Paris Investigation Commission to Charles F. Waymire, Dr.

To copying report of Committee *in re* Investigation of California Commission to Paris Exposition: 5 original copies, 24 copies each—120 folios at 10c	$12 00
20 carbon copies, 24 folios each—480 folios at 5c.	24 00
Amount due	$36 00

And we ask the adoption of the following:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of Assembly in favor of John A. Bliss, chairman of the Committee on Commissions and Public Expenditures, and the State Treasurer is hereby authorized and directed to pay the same, for the sum of $2,086.82, the same being for expenses incurred by said committee during the investigation of the California Commission to the Paris Exposition, as per Assembly resolution of January 22, 1901.

BLISS, Chairman.

Report read, and referred to Committee on Ways and Means.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing expenses to the Committee on Fish and Game, beg leave to report as follows:

MR SPEAKER: Your Committee on Fish and Game beg leave to report that it has visited the State Fish Hatchery at Sisson, as directed by your honorable body, and herewith present a bill of expense as follows:

Higby	$50 80
Anderson	50 80
Hasson	50 80
McNeil	50 80
Bauer (substitute for Brown)	50 80
Williams	50 80
Sutro	50 80
Gehring (substitute for Pomeroy)	50 80

And ask that the following be adopted:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of Wm. Higby for the sum of $406.40, and the Treasurer is hereby directed to pay the same 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.

EVATT, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred Assembly resolution allowing expenses to the Committee on Public Morals, beg leave to report as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Public Morals, authorized to visit certain places

of amusements, having visited said places in San Francisco, herewith present the account of expenses of the members of the committee, as follows:

Webber	$18 80
McNeil	18 80
McWade	18 80
Brady	18 80
Savage	18 80
Hubbard (substitute for Simpson)	18 80
Milice (substitute for Ray)	18 80
Crowly (clerk)	18 80
Total	$150 40

And we ask the adoption of the following:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Ed L. Webber, chairman of Committee on Public Morals, for the sum of $150 40, and the Treasurer is hereby directed to pay the same 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.

EVATT, Chairman.

Report and resolution adopted.

INTRODUCTION OF BILLS—(OUT OF ORDER).

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

By Mr. Ralston: Assembly Bill No. 780—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read first time, and referred to Committee on Census and Apportionment.

By Mr. Duryea: Assembly Bill No. 781—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 2955 thereof, relating to mortgages upon personal property.

Read first time, and referred to Committee on Judiciary.

By Mr. Webber: Assembly Bill No. 782—An Act making an appropriation to pay the claim of Napa County against the State of California for the support of indigent orphans, half-orphans, and abandoned children.

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

Also: Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Read first time, and referred to Committee on Claims.

By Mr. Carter: Assembly Bill No. 784—An Act to amend Section 475 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Kelley: Assembly Bill No. 785—An Act to appropriate the sum of $400 to pay the claim of James W. Travers, for money due and owing the said James W. Travers from the State of California.

Read first time, and referred to Committee on Claims.

By Mr. Cromwell: Assembly Bill No. 786—An Act to amend an Act entitled "An Act to establish a uniform system of County and Township Governments," approved April 1, 1897.

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

By Mr. Guilfoyle: Assembly Bill No. 787—An Act to execute and carry into effect Section 3 of Article XXI of the Constitution of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Bennink: Assembly Bill No. 788—An Act appropriating money for the payment of claims against the State arising in the County of San Bernardino, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Claims.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was granted leave of absence to visit the Home for the Care and Training of Feeble-Minded, at Gelston, California, and the Mendocino Asylum for Insane, near Ukiah, California, beg to report that they have visited the same, and herewith present the following expense account:

Schillig	$56 00
Radcliff	56 00
Dunlap	56 00
Miller	56 00
Cowan	56 00
Guilfoyle	56 00
Macbeth	56 00
Bennink	56 00
Wright	56 00
Webber	56 00
Chambers (clerk)	56 00
Total	$616 00

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he hereby is directed to draw his warrant in favor of Lawrence Schillig, chairman, for the sum of $616, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the State Treasurer is hereby directed to pay same

SCHILLIG, Chairman.

Read, and referred to Committee on Mileage.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR SPEAKER: Your special committee on Investigation of San Francisco Police beg leave to report that they have visited San Francisco, in accordance with a resolution adopted by the Assembly, January 31, 1901, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage:

J. R. Knowland	$18 80
E L. Webber	18 80
L Schillig	18 80
Eli Wright	18 80
J. W. P. Laird	18 80
J. Hocking (sergeant-at-arms)	18 80
J. C. Bates, Jr. (clerk)	18 80
A. D. Shaw (stenographer)	18 80
Total	$150 40

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of J R. Knowland for the sum of $150 40, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

KNOWLAND, Chairman

Read, and referred to Committee on Mileage.

MOTIONS.

Mr. Treadwell moved that Assembly Bill No. 626 (No. 4 on the file) and Assembly Bill No. 683 (No. 5 on the file) be made special order for Tuesday, February 19, 1901, at seven o'clock and thirty minutes P. M.

So ordered.

Mr. Greer moved that Assembly Bill No. 260 (No. 281 on second-reading file) be re-referred to the Committee on Swamp and Overflowed Lands and River Improvements, for the purpose of considering the same, and to retain its place on file.

So ordered.

Mr. John moved that Assembly Bill No. 731 be recalled from Committee on County and Township Governments, and that he be allowed to withdraw same.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals, having visited the State Hospital at Napa, herewith present the bill of expenses of such visit, to wit:

Schillig	$12 20
Radcliff	12 20
Webber	12 20
Bennink	12 20
Macbeth	12 20
Guilfoyle	12 20
Miller	12 20
Cowan	12 20
Mattos (substitute for Dunlap)	12 20
Chambers (clerk)	12 20
Total	$122 00

And offer the following resolution:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Lawrence Schillig, chairman of said committee, for the sum of $122, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

SCHILLIG, Chairman.

Read, and referred to Committee on Mileage.

REPORT OF SUB-COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER. Your sub-committee of Committee on Ways and Means beg leave to report that they have visited Los Angeles for the purpose of investigating and reporting on appropriations for the State Normal School erected there, and have also visited San Pedro for the purpose of investigating and reporting on the matter covered by Assembly Bill No. 712, relating to Harbor Commissioners for San Pedro Harbor, all pursuant to the appointment and direction of the chairman of the Committee on Ways and Means, as authorized by Assembly resolution heretofore adopted, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage, to wit:

W. W. Greer	$104 00
M. P. Roberts	104 00
Frank James	104 00
Total	$312 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of W. W. Greer for the sum of three hundred and twelve dollars ($312), and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

GREER, Chairman.

Read, and referred to Committee on Mileage.

ADJOURNMENT.

At four o'clock and six minutes P. M., on motion of Mr. Anderson of Solano, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 19, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wilhams, Wright, and Mr. Speaker—74.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Cowan until Thursday, February 21, 1901.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

REPORTS OF STANDING COMMITTEES.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 551—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

Also: Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor.

Also: Assembly Bill No. 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor

Also: Assembly Bill No 619—An Act to provide for sinking an artesian well on the grounds of Agnews State Hospital, and making an appropriation therefor.

Also Assembly Bill No 197—An Act to appropriate $25,000 for the erection of a connecting building at the Mendocino State Hospital.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended, and that under the rules they be referred to Committee on Ways and Means.

Also: Assembly Bill No. 549—An Act making an appropriation of money to provide for certain improvements and repairs at the Napa State Hospital at Napa—have had

the same under consideration, and respectfully report the same back without recommendation, and request that same be referred to Committee on Ways and Means, under the rule.

Also: Assembly Bill No. 381—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Also: Assembly Bill No. 438—An Act to create the office of State Dentist for the State insane asylums, to prescribe his duties and provide for the payment thereof.

Also: Assembly Bill No 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass, and that they be referred to Committee on Ways and Means, under the rule.

Also: Assembly Bill No. 547—An Act making an appropriation of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa.

Also: Assembly Bill No 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Also: Assembly Bill No. 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital

Also: Assembly Bill No 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

Also: Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 200—An Act to provide an ice-machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass, and that they be referred to Committee on Ways and Means, under the rule.

SCHILLIG, Chairman.

Assembly Bills Nos. 551, 615, 617, 619, 197, 549, 381, 438, 547, 548, 550, 198, 199, and 200 re-referred to Committee on Ways and Means.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 763—An Act making an appropriation for the propagation of steelhead trout in Humboldt County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HIGBY, Chairman

Assembly Bill No. 763 re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Commerce and Navigation respectfully report that, in accordance with a resolution adopted by your honorable body on Thursday, February 14, 1901, it has visited the harbor of San Pedro. There is now due the following-named persons the amounts set opposite their several names for mileage.

George C. Brown	$101 40
J F Collins	101 40
J. J. Hourigan, in lieu of F W Barnes	101 40
J. McD. Kelley	101 40
George J. McLoughlin	101 40
C. W. Merritt, in lieu of G. G. Radcliff	101 40
C. W. Pendleton, in lieu of B. H McNeil	101 40
L. F Reeber	101 40
W. H Savage, in lieu of M. W. Brady	101 40
Frank Storer, clerk	101 40
Total	$1,014 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of W. H. Savage for the sum of $1,014, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

SAVAGE, Acting Chairman.

Read, and referred to Committee on Mileage.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 66—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

Also: Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

RUTHERFORD, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROUGHTON, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No 22—An Act to amend Section 2 of an Act entitled "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," approved March 17, 1897.

Assembly Bill No 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty therefor.

And were presented to the Governor this day, at ten o'clock and fifty-five minutes A. M.

G. H. ANDERSON, Acting Chairman.

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Assembly Bill No. 651—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 considered the same, and recommend that it do pass

Also: Assembly Bill No. 260—An Act to amend an Act entitled "An Act to amend Sections 5, 6, and 11 of an Act entitled 'An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No 1 of Sutter County,'" approved March 20, 1874—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

GREER, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 295—An Act to amend Section 134 of the Code of Civil Procedure of the State of California, relating to holidays,

Also: Senate Bill No. 409—An Act to amend Section 963 of the Code of Civil Procedure.

Report the same back with the recommendation that they do pass.

Also: Assembly Concurrent Resolution No 5—Relative to 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 for the number and qualification, compensation, and manner of electing delegates to such convention—report the same back by a majority, and with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No 660—An Act to add a new section to the Political Code of the State of California, to be known as Section 4086½, providing for Boards of Supervisors

to offer a reward for the arrest of any person who has committed a felony, and for payment of same—report the same back with the recommendation that it do not pass.

Also: Assembly Constitutional Amendment No 20—A proposed amendment to Article XII of the Constitution, relative to corporations—report the same back with the recommendation that it do pass

Also: Assembly Bill No 595—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon—report the same back by a majority vote, with eleven amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm-water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of public moneys and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "An Act to provide for the protection and preservation of public highways from damage by storm water and floods and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897—report the same back with two amendments, and recommend its passage as amended

Also: Assembly Bill No 326—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State—report the same back, with a statement from the committee that we find it impossible to codify the same, as directed by the Assembly; that we find there is a law already upon the subject contained in Subdivision 33 of Section 25 of the Act to provide for a uniform system of county and township governments, approved April 1, 1897, and that, inasmuch as we had no authority to put it into that section, we have not prepared an amendment therefor

Also: Assembly Bill No 637—An Act to repeal Section 1718 of the Code of Civil Procedure of the State of California, relating to the appointment of attorneys for minor or absent parties—report the same back, by a majority vote, and recommend that it do pass.

JOHNSON, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Irrigation, to whom was re-referred Senate Bill No 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MILICE, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 440—An Act to amend Section 25 and Section 52 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to powers of Supervisors of counties

Assembly Bill No. 209—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor

Assembly Bill No. 222—An Act to repeal an Act entitled "An Act to regulate the vocation of fishing, and to provide therefrom revenue for the restoration and preservation of fish in the waters of the State of California," approved March 21, 1887

Assembly Bill No. 225—An Act to authorize the Board of Fish Commissioners of this State to build and maintain a trout hatchery, and providing ways and means therefor

Assembly Bill No 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation

Assembly Bill No. 250—An Act to provide for the election of Justices of District Courts of Appeal, to take effect in case Assembly Constitutional Amendment No. 9 is ratified by the people.

Assembly Bill No 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Assembly Bill No 466—An Act to repeal Section 1402 of the Civil Code of the State of California, relating to the succession of community property.

Assembly Bill No. 518—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Assembly Bill No. 627—An Act making an appropriation to pay the deficiency in the appropriation for costs and expenses of suits for violation of fish and game laws, for the fifty-first and fifty-second fiscal years.

Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class

Assembly Bill No. 327—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863, and to repeal an Act amendatory thereof entitled "An Act to amend an Act entitled an Act to incorporate the Town of Downieville, passed March 18, 1863," approved March 31, 1866.

Assembly Bill No. 429—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Assembly Bill No 352—An Act to amend Section 2 of an Act entitled "An Act to establish free public libraries and reading-rooms," approved April 26, 1880.

FRANKLIN, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 153—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto, and government of the inmates thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts; to select a site therefor, and secure an option of purchase therefor, and submit sketch plans and specifications for said prison, and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 441—An Act to amend an Act entitled "An Act to establish Board of Parole Commissioners for the parole of, and government of, paroled prisoners," approved March 23 1893.

Also: Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for the State School at Whittier.

Also: Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs at the State School at Whittier.

Also: Assembly Bill No. 699—An Act to provide for the purchase of library books and periodicals for use at the State School at Whittier.

Also: Assembly Bill No. 700—An Act to provide for building a blacksmith, woodworking and carpenter shop, at the State School at Whittier.

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

IRISH, Chairman.

Assembly Bills Nos. 153, 428, 697, 698, 699, and 700 re-referred to Committee on Ways and Means.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 611—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California.

Also: Assembly Bill No. 600—An Act appropriating money for the payment of claims against the State arising in the County of San Luis Obispo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Ways and Means.

Also: Assembly Bill No. 687—An Act making an appropriation to pay the claim of Jo D Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of 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. 716—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of

July, 1861, and for collecting and receiving, also, all money advanced, disbursed and expended by said State in aid of the United States in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 371—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

HENRY, Chairman.

Assembly Bills Nos. 611, 600, 687, 716, and 371 re-referred to Committee on Ways and Means.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 403—An Act to amend the Penal Code of the State of California, by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distributing of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense and providing a penalty therefor.

Also: Assembly Bill No. 735—An Act authorizing Boards of Supervisors or other governing bodies of municipalities to declare holidays.

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

MACBETH, Chairman.

ON CORPORATIONS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: As one of your Committee on Corporations, to whom was referred Assembly Bill No. 757, I respectfully report that I have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BERT SCHLESINGER.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence for the purpose of visiting the various penal and reformatory institutions of the State, have visited said places, and beg leave to submit the following report:

Your committee found the prison at San Quentin in excellent condition. Order, harmony, discipline, and cleanliness were everywhere apparent. The jute-mills and wash shops presented a picture of energy and thrift. The laundry, kitchen, and bakeries are clean, and the food wholesome and abundant

We examined, as far as the limited time at our disposal would permit, the books and papers relating to the recent bag frauds, and questioned the officers to some extent regarding the same, and it is the unanimous opinion of all the members of your committee that the Warden and officers under him were not in the slightest degree implicated in said fraudulent transactions, and that the prison authorities are capable, and will take necessary and proper steps to protect the State from future imposition without legislative intervention. The same good words regarding the conditions of the prison, industries, discipline, and cleanliness at San Quentin will also apply in equal good grace to Folsom prison, and your committee are of the opinion that both institutions are in good hands.

The Reform School at Whittier was found in splendid shape, so far as management is concerned, and too much cannot be said of the tender hearts and loving hands caring for the wayward boys and girls at that place. A good feeling, akin to love, appeared to exist among the officers, teachers, and children, resembling one great, harmonious family. We feel it our duty, however, to call your attention to the fact that, although those children do their own cooking, make their own clothing, including shoes, each child is costing the State $27 per month, a figure entirely too high, in the opinion of your committee.

We therefore recommend a reduction of the usual appropriation from $200,000 to $175,000 and believe the latter sum abundant for all current expenses.

Your committee very much regret to note that we are unable to apply the same words regarding the management of the Whittier School to that of the Preston School

of Industry, but such is the case. A cloud of sorrow was apparent on the faces of the children at the latter place. The buildings were in good condition, and everything was clean; food and clothing are abundant, but the children are not happy, and your committee is of the opinion that severe rules, rough treatment at the hands of the guards, and the flogging is the cause.

We therefore recommend the passage of a law prohibiting flogging of any description in all reformatory institutions in this State.

The same condition as to cost that prevails at Whittier we discovered at the Preston School of Industry, except that the cost is higher at the latter place, and notwithstanding the fact that there are only 102 inmates and 32 employés, the management declare they cannot spare three night watchmen for the dormitories, and ask an additional appropriation for current expenses.

We recommend, however, that the usual appropriation of $90,000 be reduced to $80,000 instead, claiming said last-named sum sufficient.

Respectfully submitted.

IRISH, Chairman.
BRADY.
EVATT.
SCHLESINGER.
FRANKLIN.
SIMPSON.

We, the undersigned, were not at the Preston School, but heartily concur in the balance of the report.

C. W. MERRITT.
WM. H. SAVAGE.
H. W. BROWN.

Ordered printed in the Journal.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

"ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

"MR. SPEAKER: Your Committee on State Hospitals and Asylums, authorized to visit the various State hospitals, having visited the State Hospital at Napa, herewith present the bill of expenses of such visit, to wit:

Schillig	$12 20
Radcliff	12 20
Webber	12 20
Bennink	12 20
Macbeth	12 20
Guilfoyle	12 20
Miller	12 20
Cowan	12 20
Mattos (substitute for Dunlap)	12 20
Chambers (clerk)	12 20
Total	$122 00

"And offer the following resolution:

"*Resolved*, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Lawrence Schillig, chairman of said committee, for the sum of $122, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly.

"SCHILLIG, Chairman."

Have had the same under consideration, and respectfully report the same back, and recommend that the above resolution be adopted.

EVATT, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

"ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

"MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was granted leave of absence to visit the Home for the Care and Training of Feeble-Minded Children at Gelston, California, and the Mendocino Asylum for Insane near Ukiah, California, beg to report that they have visited the same, and herewith present the following expense account:

Schillig	$56 00
Radcliff	56 00
Dunlap	56 00
Miller	56 00
Cowan	56 00

Guilfoyle	$56 00
Macbeth	56 00
Bennink	56 00
Wright	56 00
Webber	56 00
Chambers (clerk)	56 00
Total	$616 00

"And we ask the adoption of the following resolution:

"*Resolved*, That the State Controller be and he hereby is directed to draw his warrant in favor of Lawrence Schillig, chairman, for the sum of $616, said warrant to be drawn upon the fund for contingent expenses of the Assembly, and the State Treasurer is hereby directed to pay the same.

"SCHILLIG, Chairman."

Have had the same under consideration, and respectfully report the same back, and recommend that the above resolution be adopted.

EVATT, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

"ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

"MR. SPEAKER: Your special committee on Investigation of San Francisco Police beg leave to report that they have visited San Francisco, in accordance with a resolution adopted by the Assembly, January 31, 1901, and that there is now due to each of the following-named persons the sums set opposite their several names, for mileage:

J. R. Knowland	$18 80
E. L. Webber	18 80
L. Schillig	18 80
Eli Wright	18 80
J. W. P. Laird	18 80
J. Hocking (sergeant-at-arms)	18 80
J. C. Bates, Jr. (clerk)	18 80
A. D. Shaw (stenographer)	18 80
Total	$150 40

"We therefore recommend the adoption of the following:

"*Resolved*, That the State Controller be and he is hereby directed to draw his warrant in favor of J. R. Knowland for the sum of $150.40, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

"KNOWLAND, Chairman."

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

EVATT, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following report and resolution:

"ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

"MR. SPEAKER: Your sub-committee of Committee on Ways and Means beg leave to report that they have visited Los Angeles for the purpose of investigating and reporting on appropriations for the State Normal School erected there, and have also visited San Pedro for the purpose of investigating and reporting on the matter covered by Assembly Bill No. 712, relating to Harbor Commissioners for San Pedro Harbor, all pursuant to the appointment and direction of the chairman of the Committee on Ways and Means, as authorized by Assembly resolution heretofore adopted, and that there is now due to each of the following-named persons the sums set opposite the several names, for mileage, to wit:

W. W. Greer	$104 00
M. P. Roberts	104 00
Frank James	104 00
Total	$312 00

"We therefore recommend the adoption of the following:

"*Resolved*, That the State Controller be and he is hereby directed to draw his warrant in favor of W. W. Greer for the sum of $312, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

"GREER, Acting Chairman."

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EVATT, Chairman.

Report and resolution adopted.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 83—An Act to amend Sections 1543 and 1545 of the Political Code of the State of California.

Also: Assembly Bill No. 84—An Act to amend Sections 1548 and 1552 of the Political Code of the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that author withdraw the same.

Also: Assembly Bill No. 85—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographer for county superintendents for cities and counties and for counties of the first class—have had same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No. 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that it do pass as amended.

GANS, Chairman.

Assembly Bills Nos. 83 and 84 withdrawn by author.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Senate Bill No. 370—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

SCHILLIG, Chairman.

ON JUDICIARY—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bill No. 595—An Act to define express companies, and to prescribe the mode of taxing the same and to fix the rate of taxation thereon—have had the same under consideration, and respectfully report the same back, and the undersigned members of the committee, as a minority thereof, recommend that the same do not pass.

J. W. P. LAIRD.
F E. DUNLAP.
F. A. CROMWELL.
E. L. WEBBER.

PETITION.

Mr. Feliz presented the following petition, and asked that it be printed in the Journal:

PROTEST FROM MONTEREY.

To the HON. F. P. FELIZ, *Assemblyman representing Assembly District No. 61*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector. To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust. We, your constituents, therefore request that you vote against this bill, to the end that it may not become a law.

Rev O. W. Lucas, B A Eardley, R. L. James, E. B. Rich, A. J. Steiner, Chas. K. Tuttle, J. S. Pointer, W. C. Gretter, F. A. West, B. C. Winston—Pacific Grove, California; and eighty-three others.

Read, and ordered printed in the Journal.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your special committee appointed to take charge of all arrangements for the funeral services of the late B. Collins, respectfully report back that, in conjunction with the special committee from the Senate, we took charge of and carried out all arrangements for the funeral services of said B. Collins.

That the following bills have been rendered to your committee for and on account of said funeral services; that your committee have deducted from the bill of John Breuner & Co the sum of $25, and from the bill of Clark & Booth the sum of $29.50, and your committee therefore recommend that the sum of $54 50 be deducted from said charges as aforesaid, and that the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of L. Schillig, chairman, for the sum of $689.75, for the purpose of paying the accompanying bills incurred by said committee.

SCHILLIG, Chairman.

Read, and referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS, ETC.

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

By Mr. Foster: Assembly Bill No. 789—An Act amending Section 2237 of the Political Code, relating to the name and purpose of the deaf, dumb, and blind asylum.

Read first time, and referred to Committee on Education.

By Mr. Haley: Assembly Bill No. 790—An Act to amend an Act entitled "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; to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, by repealing Sections 2, 3, 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, 17, and 18 thereof.

Read first time, and referred to Committee on Irrigation.

By Mr. Savage: Assembly Bill No. 791—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 referred to Committee on Municipal Corporations.

By Mr. Webber: Assembly Bill No. 792—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, and as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Read first time, and referred to Committee on Corporations.

By Mr. Johnson: Assembly Constitutional Amendment No. 24—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 12 of Article XIII of said Constitution, so as to abolish poll-taxes in the State of California.

Referred to Committee on Judiciary.

MOTION.

Mr. McWade moved that Senate Bill No. 339 be recalled from Assembly Committee on Labor and Capital and placed on Senate Special File; that the author be requested to withdraw Assembly Bill No. 465, the bills being identical.

So ordered.

SPECIAL ORDERS.

Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

Mr. Melick moved to amend as follows:

Amend by striking out Section 2 and inserting the following:

"SEC 2. A new section is hereby added to the Penal Code, to be numbered four hundred and one *a*, to read as follows:

"Section 401*a*. Any person, board, committee, newspaper, or corporation who willfully publishes by any writing or printing that Asiatic cholera or the bubonic plague exists in this State when such is not true is guilty of a felony."

Amendment adopted.

Assembly Bill No. 558 ordered to print, engrossment, and third reading.

Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health.

Read third time.

Mr. Brown of San Mateo moved that a select committee of one be appointed to amend Assembly Bill No. 559 as follows:

Insert after the word "body," in line eleven, Section 1, the following words: "to take such measures as may be necessary to prevent the spread of such disease and"

Motion carried, and so ordered.

Mr. Brown of San Mateo was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR SPEAKER Your select committee of one, to whom was referred Assembly Bill No 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

H. W. BROWN, Committee.

Report and amendment adopted.

Assembly Bill No. 559 ordered to print and on file for passage.

Mr. Johnson moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 560—An Act to prevent the introduction and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

Also. Concurred in Assembly amendment to Senate Bill No 36—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by amending Section 1238 thereof.

Also: Concurred in Assembly amendment to Senate Joint Resolution No. 12—Relative to attempted location of mineral oil lands as agricultural lands.

Also (as a case of urgency): Passed Senate Bill No 559—An Act to amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same

Also. Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country, to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the

county where its principal place of business is located, and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 560 ordered to enrollment.

Senate Bill No. 559—An Act to amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same.

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

Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read first time, and referred to Committee on Corporations.

At ten o'clock and fifty minutes A. M., the Speaker called Mr. Fisk to the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 9.

To propose to the people of the State of California amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal

WHEREAS, The State has grown in population and wealth since the creation of the present Supreme Court, and the appeals in suits at law cannot any longer be decided by that court as rapidly as they arise, and such fact is causing a delay of justice, and in many cases a denial of justice, and consequent injury to public and private interests;

Now, therefore, The Legislature of the State of California, at its regular session commencing on the seventh day of January, nineteen hundred and one, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes that sections one, two, three, four, ten, twelve, fourteen, sixteen, seventeen, eighteen, twenty-one, twenty-three, and twenty-four of article six of the Constitution of said State be amended so as to read as follows:

ARTICLE VI.

JUDICIAL DEPARTMENT.

SECTION 1. The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, in a Supreme Court, District Courts of Appeal, Superior Courts, Justices of the Peace, and such inferior courts as the Legislature may establish in any incorporated city or town, or city and county.

SEC. 2 The Supreme Court shall consist of a Chief Justice and four Associate Justices; *provided*, that the Chief Justice and Associate Justices in office at the time of the adoption of this amendment shall continue in office and constitute the court until the expiration of their respective terms of office; *and provided further*, that at the expiration of the term of office of the two Justices whose terms expire first after the first Monday after the first day of January, 1903, their offices shall be abolished. The presence of a majority of the Justices shall be necessary for the transaction of business (except such as may be done at chambers), and the concurrence of a majority of the Justices shall be necessary to pronounce a judgment. The Supreme Court shall hold all of its sessions in San Francisco There shall be three regular sessions each year, beginning on the second Monday in January, May, and September. Special sessions may be held at any time on the order of the Chief Justice or of three Associate Justices. The Chief Justice and the Justices of the Supreme Court shall be elected by the qualified electors of the State at large at the general State elections at the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding their election.

The Supreme Court shall have appellate jurisdiction direct from the Superior Courts in every action, proceeding, or special proceeding where is necessarily drawn in question the validity of a statute, or of an authority exercised under the United States; or where is necessarily drawn in question the validity of the Constitution or any statute of or

authority exercised under this State on the ground of being repugnant to the constitution or laws of the United States; or where is necessarily drawn in question the validity of any statute of or authority exercised under this State on the ground of being repugnant to the Constitution of this State; or where is necessarily drawn in question the legality of any tax, impost, or assessment; in all proceedings in exercise of the right of eminent domain; in actions or proceedings for usurpation or intrusion into, or unlawful holding of, a public franchise; also in all criminal actions (on questions of law alone) in which the judgment shall be death or imprisonment for life; and also in all cases, originating in the Superior Court, in which the fact of the adoption by a city, or of a city and county, of a charter for its own government, or of any amendment thereto, or the validity of the same, or any part thereof, or of any authority exercised thereunder, is necessarily drawn in question. It shall also have appellate jurisdiction in every action, proceeding, or special proceeding determined by any District Court of Appeal, the record in which may, by order pursuant to the further provisions on these subjects hereinafter contained in this article, be directed to be transmitted to it. It shall also have jurisdiction in every action, proceeding, or special proceeding which shall actually have been submitted to it for decision before the organization of the District Courts of Appeal established by this amendment, and of every pending cause which shall not be transferable to the District Courts of Appeal as hereinafter provided.

In every case where an appeal is taken to the Supreme Court, and said court is of the opinion that it has not appellate jurisdiction, but that an appeal might have been taken to the District Court of Appeal, said Supreme Court shall transfer the case with the papers to the proper District Court of Appeal for decision; and in every case where an appeal is taken to a District Court of Appeal, and said District Court of Appeal is of the opinion that it has not jurisdiction, but that an appeal might have been taken to the Supreme Court, said District Court shall transfer the case with the papers to the Supreme Court; and in case said Supreme Court shall decide that said District Court of Appeal had jurisdiction, it shall remand said cause for decision and transmit the papers; and in all cases provided for in this section, the decision of the Supreme Court shall be final upon the question of jurisdiction, and the court finally decided to have been the proper court to have been appealed to, shall decide the case, the same as if the appeal had been to it in the first instance. And in all cases in which the Supreme Court shall acquire jurisdiction, it shall have further jurisdiction to decide all questions properly presented on the record, whether or no they be such as of themselves would entitle the court to take jurisdiction of the cause. Where the record on any appeal, either to the District or Supreme Court, discloses that a different judgment or order should have been given or made in the lower court, and what the same should have been, the appellate court in determining such appeal shall, in reversing or modifying such judgment or order appealed from whenever practicable or possible, direct the entry by the lower court of the proper judgment or order without ordering a retrial in the lower court; or, if a retrial shall be necessary as to some one or more points, then the appellate court shall indicate the specific errors or matters as to which such retrial shall be had, and the case shall be reheard in the lower court, upon the record of the former trial, except so far as the same may be modified or changed by the introducing of further or additional evidence, or by the proceedings otherwise had in the lower court pursuant to the indications or directions of the appellate court, or as may be otherwise provided by law.

SEC. 3. The State is hereby divided into three appellate districts, in each of which there shall be a District Court of Appeal, consisting of three Justices There shall in each year be four regular sessions of each District Court of Appeal, commencing on the second Monday in February, May, August, and November. Special sessions may be held at any time upon the order of the court

The first appellate district shall embrace the following counties: San Francisco, Marin, Contra Costa, Alameda, San Mateo, Santa Clara, Santa Cruz, Monterey, and San Benito The official designation of the District Court of Appeal in this district shall be "The Court of Appeal of the State of California in and for the First District," and it shall hold its sessions at the City and County of San Francisco.

The second appellate district shall embrace the following named counties in the State: Fresno, Stanislaus, Mariposa, Madera, Merced, Tulare, Kings, San Luis Obispo, Kern, Inyo, Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, Riverside, and San Diego. The official designation of the District Court of Appeal for this district shall be "The Court of Appeal of the State of California in and for the Second District," and the court shall hold its sessions at the City of Los Angeles; *provided*, that at least twice in each year, at such times as may be agreed upon by the Justices of said Court of Appeal in and for said Second District, said court must hold regular sessions in the City of Fresno.

The third appellate district shall embrace the following named counties: Del Norte, Siskiyou, Modoc, Humboldt, Trinity, Shasta, Lassen, Tehama, Plumas, Mendocino, Lake, Colusa, Glenn, Butte Sierra, Sutter, Yuba, Nevada, Sonoma, Napa, Yolo, Placer, Solano, Sacramento, El Dorado, San Joaquin, Amador, Calaveras, Tuolumne, Alpine, and Mono. The official designation of the District Court of Appeal of this district shall be "The Court of Appeal of the State of California in and for the Third District," and the court shall hold its sessions at the City of Sacramento.

The Legislature may remove one or more counties from one appellate district to another, but no county not contiguous to another county of a district shall be added to such district.

The Justices of the District Courts of Appeal shall be elected by the qualified electors within their respective districts at the general State elections at the times and places at which State officers are elected, and the term of office shall be twelve years from and after the first Monday after the first day of January next succeeding the election; *provided*, that if the Legislature shall have enacted a law declaring that at the election at which this amendment is submitted to the people there shall be elected by the electors within each of said appellate districts three persons, qualified as herein provided, as Justices of the District Court of Appeals of such district, the persons elected in accordance with such law shall constitute the Justices of said District Courts of Appeal, respectively, upon the adoption of this amendment, and shall hold office from the time of their election until their successors are elected and qualified The Justices of each District Court of Appeal shall at their first session so classify themselves by lot that they shall go out of office, one at the end of four years, one at the end of eight years, and the third at the end of twelve years from and after the first Monday after the first day of January next succeeding their election. An entry of such classification shall be made in the minutes of the court, signed by them, and a duplicate thereof filed in the office of the Secretary of State.

If a vacancy occur in the office of a Justice of the Supreme Court, or of a Justice of the District Court of Appeal, the Governor shall appoint a person to hold the office until the election and qualification of a Justice to fill the vacancy. Such election shall take place at the next succeeding general election at which State officers are elected, and the justice so elected shall hold the office for the remainder of the unexpired term.

The Justices of each of the District Courts of Appeal shall elect one of their number as a Presiding Justice. The presence of three Justices shall be necessary for the transaction of any business by such court, and the concurrence of two Justices shall be necessary to pronounce a judgment.

Whenever any Justice of the Supreme Court is for any reason disqualified or unable to act in a cause pending before it, the remaining Justices may select one of the Justices of a District Court of Appeal to act pro tempore in the place of the Justice so disqualified or unable to act. Whenever any Justice of a District Court of Appeal is for any reason disqualified or unable to act in any cause pending before it the Chief Justice may appoint a Judge of a Superior Court, who has not acted in the cause in the court below, to act pro tempore in the place of the Justice so disqualified or unable to act. A Justice of one District Court of Appeal may at any time sit as a Justice pro tempore in any other District Court of Appeal upon the written request of any Justice of said court; every Justice pro tempore of the Supreme Court or of the District Court of Appeal, while acting as such, shall have the same power and authority as the Justice of such court

The several District Courts of Appeal shall have appellate jurisdiction in every civil action, proceeding, and special proceeding commenced and determined, and (on questions of law alone) in every criminal action prosecuted by indictment or information in the Superior Courts within their several appellate districts, excepting only those actions, proceedings or special proceedings in which an appeal direct to the Supreme Court from the Superior Court is expressly allowed by this article. The statutes now in force allowing, providing for, and regulating appeals to the Supreme Court shall apply to appeals to the District Courts of Appeal so far as consistent with this article until the Legislature shall make provisions for appeals to said courts.

The judgments and decrees of the District Courts of Appeal shall be final in all causes embraced within their appellate jurisdiction, except in the following cases:

In any cause decided by a District Court of Appeal, if the decision of such Court of Appeal conflicts with a previous decision of the Supreme Court, or of another District Court of Appeal, the Supreme Court shall, upon petition to be filed within thirty days after entry of judgment in the District Court of Appeal, order the cause to be heard by the Supreme Court, and thereupon the record shall be transmitted to the Supreme Court, which shall hear and determine the cause.

The Supreme Court, or any Justice thereof, shall have power to issue writs of habeas corpus, and the Supreme Court shall have power to issue writs of mandamus, certiorari, and prohibition to the District Courts of Appeal, and shall likewise have power to issue all writs, orders, and process necessary or proper to the complete and effectual exercise of its appellate jurisdiction It shall also have power to issue writs of mandamus, certiorari, and prohibition in any manner affecting a State, congressional or presidential election. The District Courts of Appeal shall have power to issue within their respective districts writs of mandamus, certiorari, prohibition, quo warranto, and habeas corpus, and shall likewise have power within such districts to issue all writs and orders necessary or proper to the complete and effectual exercise of their appellate jurisdiction. Each Justice of the District Courts of Appeal shall have power to issue writs of habeas corpus to any part of the appellate district in which he sits, and any such writ may be made returnable before the Justice who issued it, or the court from which it was issued, or any Justice thereof, or before any lower court of record, or before any judge thereof.

Unless oral argument be waived by the parties with the consent of the court, every cause and matter in the Supreme Court and in any District Court of Appeal (except such applications as may be made ex parte) shall be orally argued by the parties or their counsel in open court; but this shall not prevent the courts from requiring that the points to be argued and considered, together with a list of authorities to sustain such points, shall be printed and filed before a cause is taken up for argument Not more than twenty cases (except ex parte applications) shall be under submission for decision at any one time in the Supreme Court or in any District Court of Appeal. All decisions of the Supreme Court and of the District Courts of Appeal shall be given in writing and

the grounds of the decision shall be stated. A remittitur or mandate must issue on every judgment of said courts on or before the expiration of thirty days after the rendition thereof.

SEC. 4. The Supreme Court shall, upon the organization of the District Courts of Appeal, transfer to them respectively any causes then pending in the Supreme Court which have not been heard as are within the class of causes over which such District Courts have appellate jurisdiction; and upon such transfer the District Courts of Appeal shall have full jurisdiction to hear and determine the same.

SEC 10 Justices of the Supreme Court, of the District Courts of Appeal, and Judges of the Superior Courts may be removed by concurrent resolution of both houses of the Legislature adopted by a two-thirds vote of each house. All other judicial officers except Justices of the Peace may be removed by the Senate on the recommendation of the Governor; but no removal shall be made by virtue of this section unless the reasons therefor be entered on the Journal, nor unless the party complained of has been served with a copy of the complaint against him and shall have had an opportunity of being heard in his defense. On the question of removal, the ayes and noes shall be entered on the Journal.

SEC. 12. The Supreme Court, the District Courts of Appeal, the Superior Courts, and such other courts as the Legislature may prescribe, shall be courts of record.

SEC. 14 The County Clerks shall be ex officio clerks of the courts of record in and for their respective counties or cities and counties. The Legislature may also provide for the appointment by the several Superior Courts of one or more commissioners in their respective counties or cities and counties with authority to perform chamber business of the Judges of the Superior Courts, to take depositions, and perform such other business connected with the administration of justice as may be prescribed by law

SEC. 16 The Legislature shall provide for the speedy and uniform publication of such opinions of the Supreme Court and of the District Courts of Appeal as may be ordered by said courts, respectively, and all such opinions shall be free for publication by any person.

SEC. 17. The Justices of the Supreme Court, of the District Courts of Appeal, and the Judges of the Superior Courts shall severally, at stated times during their continuance in office, receive for their services a compensation which shall not be increased or diminished after their election nor during the term for which they shall have been elected The salaries of the Justices of the Supreme Court, of the District Courts of Appeal, and of the Judges of the Superior Courts shall be paid by the State. Unless otherwise changed by the Legislature the annual salaries of the Justices of the Supreme Court and of the District Courts of Appeal shall be six thousand dollars each. Unless otherwise changed by the Legislature the Judges of the Superior Courts shall receive an annual salary as now provided by law

SEC. 18 The Justices of the Supreme Court, of the District Courts of Appeal, and the Judges of the Superior Courts shall be ineligible to any other office or public employment than a judicial office or employment during the term for which they shall have been elected.

SEC. 21. The Supreme Court shall appoint a clerk of that court, but the present clerk of the court shall hold office until the expiration of his term of office; a phonographic reporter, and a bailiff, who shall severally hold his office and be removable at the pleasure of the court. Each District Court of Appeal shall appoint a clerk, phonographic reporter, and bailiff, who shall severally hold his office and be removable at the pleasure of the court by which he is appointed The Supreme Court shall appoint a reporter of decisions, who shall appoint an assistant reporter for each of the District Courts of Appeal All of said officers shall hold office and be removable at the pleasure of the Supreme Court. The decisions of the District Courts of Appeal shall be published in the same volumes with the opinions of the Supreme Court under the same general title of "California Reports", and all statutes in relation to the publication of the opinions of the Supreme Court shall be deemed to apply to the publication of the decisions of the District Courts of Appeal.

SEC 23. No one shall be eligible to the office of a Justice of the Supreme Court, or of a District Court of Appeal, or of a Judge of a Superior Court, unless he shall have been admitted to practice before the Supreme Court of the State.

SEC. 24. No Judge of the Supreme Court, nor of a District Court of Appeal, nor of a Superior Court, shall draw or receive any monthly salary unless he shall take and subscribe an affidavit before an officer entitled to administer oaths that no cause in his court remains undecided that has been submitted for decision for the period of ninety days.

Assembly Constitutional Amendment No. 9 read.

The roll was called, and Assembly Constitutional Amendment No. 9 adopted by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Hubbard, Irish, James, Johnson, John, Kincaid, Knight Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller,

Myers, Ralston, Ray, Reeber, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Wright—60.
NOES—Mr. Treadwell—1.

Assembly Bill No. 250—An Act to provide for the election of Justices of District Courts of Appeal, to take effect in case Assembly Constitutional Amendment No. 9 is ratified by the people.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Haley, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Williams, and Wright—51.
NOES—Messrs Savage and Walker—2.

Title read and approved.

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 11.

The Legislature of the State of California, at its thirty-fourth session, commencing on the seventh day of January, nineteen hundred and one, 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 eight and three fourths, article eleven thereof, as follows:

Section 8¾. In any city or city and county which has adopted a charter in accordance with the provisions of section eight of this article, amendments to such charter may be proposed by the legislative authority of the city or city and county by resolution, or by the qualified electors of the city or city and county in the following manner: Whenever an amendment is presented to the Board of Election Commissioners of such city or city and county, signed by qualified electors equal in number to one tenth of the total vote of such city or city and county at the last previous general election, such amendment shall be advertised in the manner provided for the advertising of proposed city charters and submitted to the voters at a general or special election. If such amendment is approved by a majority of the voters voting thereon it shall be submitted to the Legislature for its approval, without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, the amendment shall thereupon become a part of such charter, and supersede all laws and provisions of such charter in conflict therewith More than one amendment may be submitted at the same time, but a separate resolution of the legislative authority of such city, or city and county, or a separate petition by the voters thereof, shall be had for each such amendment, and the Legislature shall vote separately upon each such amendment.

Assembly Constitutional Amendment No. 11 read.

The roll was called, and Assembly Constitutional Amendment No. 11 adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, Wright, and Mr. Speaker—55.
NOES—None.

Assembly Constitutional Amendment No. 22—Relative to amending Article XIV, relating to water and water rights.

Assembly Constitutional Amendment No. 22 read.

Mr. Melick moved that Assembly Constitutional Amendment No. 22 be re-referred to Committee on Judiciary.

So ordered.

Assembly Constitutional Amendment No. 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article IV, Section 33 thereof, relating to the regulation of charges of telephone corporations.

Mr. Johnson moved to amend as follows:

Amend Assembly Constitutional Amendment No. 8 by inserting after the word "thereof," the words "the same," in line seventeen, printed bill.

Amendment adopted.

Also: Amend Assembly Constitutional Amendment No. 8 by striking out the word "for," in line forty-five of the printed bill, and inserting in lieu thereof the word "to."

Amendment adopted.

Also: Amend Assembly Constitutional Amendment No. 8 by inserting after the word "telegraph," in line forty of the printed bill, the word "or."

Amendment adopted.

Also: Amend Assembly Constitutional Amendment No. 8 by striking out the word "to," in line forty-seven of the printed bill, and inserting in lieu thereof the word "in."

Amendment adopted.

Assembly Constitutional Amendment No. 8 ordered to print and engrossment.

RECESS.

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

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

REPORTS OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reengrossed:

Assembly Bill No. 430—An Act to add a new section to the Penal Code, to be known and numbered as Section 381*a*.

FRANKLIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 254—An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled "An Act to authorize the Boards of Supervisors of the several counties of the State to appoint Inspectors of Apiaries, and to provide for their compensation, and defining their duties, and for the further protection of bee culture," approved March 13, 1883.

Assembly Bill No 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

And were presented to the Governor this day at ten o'clock and forty-five minutes A. M.

G. H. ANDERSON, Acting Chairman.

SENATE SPECIAL FILE.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division.

Read third time.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 144 as follows:

Amend title as follows: After the words "An Act," in line one thereof, insert the following: "to amend the Political Code by adding a new article to Chapter II of Title

VI of Part III thereof, to be numbered Article IX, embracing Sections 2745 to 2772, both inclusive."

Also: After the enacting clause insert the following: "Section 1. The Political Code is hereby amended by adding a new article to Chapter II of Title VI of Part III thereof, to be numbered Article IX, embracing Sections 2745 to 2772, both inclusive, so as to read as follows: 'Article IX. Permanent Road Divisions'"

Also: Strike out the word and figure "Section 1," in line one of page one, and insert in lieu thereof the figures "2745," and in lieu of word and figure "Section 2," insert figures "2746"; in lieu of word and figure "Sec 3," insert figures "2747"; in lieu of word and figure "Sec. 4," insert figures "2748"; in lieu of word and figure "Sec. 5," insert figures "2749"; in lieu of word and figure "Sec. 6," insert figures "2750"; in lieu of word and figure "Sec. 7," insert figures "2751"; in lieu of word and figure "Sec. 8," insert figures "2752"; in lieu of word and figure "Sec. 9," insert figures "2753"; in lieu of word and figures "Sec. 10," insert figures "2754"; in lieu of word and figures "Sec 11," insert figures "2755"; in lieu of word and figures "Sec. 12," insert figures "2756"; in lieu of word and figures "Sec. 13," insert figures "2757"; in lieu of word and figures "Sec 14," insert figures "2758"; in lieu of word and figures "Sec. 15," insert figures "2759"; in lieu of word and figures "Sec 16," insert figures "2760"; in lieu of word and figures "Sec. 17," insert figures "2761"; in lieu of word and figures "Sec. 18," insert figures "2762"; in lieu of word and figures "Sec. 19," insert figures "2763"; in lieu of word and figures "Sec. 20," insert figures "2764"; in lieu of word and figures "Sec. 21," insert figures "2765"; in lieu of word and figures "Sec. 22," insert figures "2766"; in lieu of word and figures "Sec. 23," insert figures "2767"; in lieu of word and figures "Sec. 24," insert figures "2768"; in lieu of word and figures "Sec. 25," insert figures "2769"; in lieu of word and figures "Sec. 26," insert figures "2770"; in lieu of word and figures "Sec. 27," insert figures "2771" in lieu of word and figures "Sec. 28," insert figures "2772"

Also: Strike out Section 29 of printed bill.

Motion carried, and so ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee

Report and amendments adopted.

Senate Bill No. 144 ordered to print and on file for final passage.

Senate Bill No. 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court of the State of California.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chiles, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hasson, Higby, Hourigan, Irish, Johnson, John, Kincaid, Knowland, Laird, Macbeth, Mattos, McLoughlin, McNeil Melick, Merritt, Milice, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—51.

NOES—None

Title read and approved.

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Collins, Duryea, Feliz, Foster, Franklin, Gans, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Johnson, John, Kincaid, Knight, Knowland, Macbeth, Mattos, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger,

Sheridan, Stewart of San Diego, Sutro, Treadwell, Webber, Williams, Wright, and Mr. Speaker—49

NOES—Messrs. Cowan, Cromwell, Guilfoyle, Laird, McLoughlin, Roberts, Simpson, and Stewart of Amador—8.

Title read and approved.

Senate Bill No. 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands.

Read third time.

Mr. Gans moved to refer Senate Bill No. 199 to a select committee of one with instructions to amend as follows:

Strike out the words "or of the several municipalities," in line nine of the printed bill. Also: Strike out the words "or of any municipality," in line fourteen of the printed bill.

So ordered.

Mr. Gans was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 199—An Act to amend Section 680 of the Political Code, relating to the investment of moneys proceeding from the sale of State school lands—with instructions to amend, now reports that the instructions of the Assembly have been carried out

GANS, Committee.

Report rejected.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bliss, Brady, Brown of San Francisco, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Guilfoyle, Henry, Higby, Hourigan, Irish, James, John, Kelley, Laird, Levinson, Mattos, McLoughlin, McWade, Merritt, Milice. Miller, Radcliff, Ralston, Ray, Rutherford, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Wright—47.

NOES—Messrs. Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chiles, Foster, Greer, Haley, Hanen, Hasson, Irving, Johnson, Kincaid, Knight, Knowland, Macbeth, McNeil, Melick, Myers, Reeber, Roberts, Savage, Schlesinger, Simpson, Sutro, Webber, Williams, and Mr. Speaker—30.

Title read and approved.

Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read third time.

Mr. Stewart of San Diego moved that a select committee of one be appointed to amend Senate Bill No. 181 as follows:

Amend Section 2, line three, page two of printed amended bill, by striking out the words "and a majority in value of said property."

Motion lost.

Mr. Stewart of San Diego moved that time for consideration of Senate file be extended ten minutes.

So ordered.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Mr. Myers moved that second-reading file be taken up for consideration.
So ordered.

LEAVE OF ABSENCE.

Mr. Bauer was granted leave of absence for the evening session.
At three o'clock and forty minutes P. M., the Speaker called Mr. Johnson to the chair.

SECOND-READING FILE.

Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.
Read second time.
Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 218.
So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.
Assembly Bill No. 218 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

JOHNSON, Chairman.

Report adopted.
The following committee amendment was submitted:

Amend by inserting the words "three thousand," in line three, Section 2, page one, printed bill.

Amendment adopted.
Assembly Bill No. 218 ordered to print, engrossment, and third reading.

INTRODUCTION AND REFERENCE OF BILL—(OUT OF ORDER).

By Committee on Election Laws: Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.
Read first time, and referred to Committee on Election Laws, with "rush" order to print.

MOTION.

Mr. Sutro moved that No. 2 on file be re-referred to Committee on Judiciary.
So ordered.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR SPEAKER: Your Committee on Rules and Regulations report the following temporary rule under Standing Rule 68 of the Assembly:

First—That the bills on the third-reading file be considered at a session of the House to be held Wednesday evening, February 20th, at seven o'clock and thirty minutes, and that no other business be transacted pending the consideration of the bills on said file during said evening session, except by unanimous consent.

DUNLAP, Chairman.

Report read and adopted.

LEAVE OF ABSENCE.

Messrs. Miller and Knight were granted leave of absence for the remainder of the day.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Read second time.

Mr. Myers moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Johnson in the chair, for the purpose of considering Assembly Bill No. 62.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Johnson in the chair.

Assembly Bill No. 62 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Johnson in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor—and do now report progress, and recommend that the committee be allowed to sit again.

JOHNSON, Chairman.

Report adopted.

Ordered that Assembly Bill No. 62 keep its place on file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 311—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 402¾, relating to the manufacture, sale, exchange, barter, dispensing, or giving away any cigarettes, cigarette paper, or cigarette wrappers within the State of California, and fixing a penalty therefor.

Also: Assembly Bill No. 678—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.

Also: Assembly Bill No 540—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.

WEBBER, Chairman.

MOTION.

Mr. Johnson moved that Assembly Bills Nos. 558 and 559 be sent to the printer as a "rush" order.

So ordered.

INTRODUCTION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

By Mr. Hourigan: Assembly Constitutional Amendment No. 25—To propose to the people of the State of California an amendment to the Constitution of the State amending Section 17 of Article XX, relating to the hours of labor on public works.

Read first time, and referred to Committee on Labor and Capital.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No. 560—An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purpose.

And was presented to the Governor February 19, 1901, at four o'clock and twenty minutes P. M.

FRANKLIN, Chairman.

RECESS.

At four o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

MOTIONS.

Mr. Treadwell moved that Assembly Bill No. 626 be passed temporarily, and that Assembly Bill No. 683 be taken up for consideration.

So ordered.

Assembly Bill No. 683—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Mr. Johnson moved that Assembly Bill No. 683 be re-referred to Committee on Judiciary.

Mr. Anderson of Solano moved to amend by including Assembly Bill No. 626.

The question being on the adoption of amendment submitted by Mr. Anderson of Solano.

Roll call was demanded by Messrs. Sutro, Collins, and Treadwell.

The roll was called, and the motion of Mr. Anderson of Solano lost by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Berry, Brown of San Mateo, Feliz, Greer, Hanen, Hasson, Higby, Irving, Johnson, John, Knowland, McNeil, Milice, Ray, Roberts, Rutherford, Sheridan, Simpson, Stewart of San Diego, Walker, Webber, and Williams—25.

NOES—Messrs. Atherton, Bennink, Brady, Broughton, Butler, Chandler, Clarke, Collins, Cowan, Cromwell, Duryea, Fisk, Foster, Franklin, Gans, Guilfoyle, Henry, Irish, James, Kincaid, Laird, Macbeth, Mattos, McLoughlin, Melick, Myers, Radcliff, Ralston, Reeber, Savage, Schillig, Stewart of Amador, Sutro, Treadwell, Wright, and Mr. Speaker—36.

The question being on the motion submitted by Mr. Johnson.

Mr. Johnson withdrew the motion.

Mr. Johnson moved to amend Section 1 as follows:

Amend by striking out the words "or the common law," in line five of Section 1 of the printed bill.

Amendment lost.

Mr. Johnson moved that consideration of Assembly Bill No. 683 be postponed until Thursday evening.

So ordered.

Assembly Bill No. 626 (Committee Substitute for Assembly Bill No. 118)—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Mr. Johnson moved to amend Assembly Bill No. 626 as follows:

Amend by inserting after line fifteen of Section 277, on page one hundred and thirteen of the printed bill, the following, viz: "Section 1222 of said code is hereby amended so as to read as follows:

"'Section 1222. If the contempt is committed in the immediate view and presence of the court, or judge at chambers, the judgment and orders of the court or judge with respect thereto are final and conclusive. In all other cases, a judgment by which any punishment is imposed for contempt may be reviewed on appeal by the Supreme Court. Such appeal must be taken within five days from the entry of the judgment and the record therein shall consist of the notice of appeal, the judgment appealed from, and a bill of exceptions prepared and settled as provided in chapter five of title seven of part two of the Penal Code. The execution of the judgment is not stayed by the appeal, unless upon the filing of a certificate of probable cause, as provided in section twelve hundred and forty-three of the Penal Code, and the filing of an undertaking as provided in sections nine hundred and forty-one and nine hundred and forty-two of this code If the contempt consists in the omission to obey an order of the court requiring the appellant to perform an act which is yet in his power to perform, the execution of the judgment is not stayed by the appeal unless the appellant also files an undertaking as provided in sections nine hundred and forty-three, nine hundred and forty-four, and nine hundred and forty-five of this code. If the contempt consists in disobedience to an order of the court prohibiting the performance of an act by the appellant, the execution of the judgment is not stayed by the appeal unless the appellant also files an undertaking, in an amount to be fixed by the court by which the order was made, to the effect that, pending the appeal, he will refrain from doing such act, and will obey the orders of the appellate court with respect thereto. The provisions of sections nine hundred and forty-seven and nine hundred and forty-eight of this code apply to such undertakings The provisions of title nine of part two of the Penal Code, so far as the same are applicable, govern the proceedings upon such appeal, subject to the provisions of this section'"

Amendment adopted.

Mr. Melick moved to amend as follows:

Amend on page thirty-five, Section 93, line nine, by adding, after the word "attached," the words "and by serving a similar copy upon the defendant when the Sheriff can find such defendant within the county."

Amendment lost.

Also:

Amend Assembly Bill No. 626 by striking out of lines twenty-eight and twenty-nine, page ninety-two of the printed bill, the words "or at the request of a party."

Amendment lost.

By Mr. Sheridan:

Amend by striking out lines thirty-four, thirty-five, thirty-six, thirty-seven, and thirty-eight of page ninety-two.

Amendment adopted.

At nine o'clock and ten minutes P. M., Speaker pro tem. Ralston was called to the chair.

By Mr. Cowan:

Amend by striking out of Section 27, line six, page eight, the words "and not exceeding sixty-five years."

Amendment adopted.

By Mr. Johnson:

Amend Section 26 by striking out all after the word "department," in line twenty-four, down to the word "affidavits," in line twenty-eight, and in place thereof inserting the following:

"Where the disqualification of a judge does not appear by the pleadings, he may proceed with the trial of the cause unless, at least one day before the time fixed for such trial, an affidavit is served on the adverse party or his attorney and filed in court, showing such disqualification. If the affidavit respects any disqualification designated in subdivisions one, two, or three of this section counter."

Amendment adopted.

At nine o'clock and fifty minutes P. M., the Speaker resumed the chair.

Mr. Fisk moved that Assembly Bill No. 626 be sent to print, engrossment, and third reading.

POINT OF ORDER.

Pending discussion of the motion, Mr. Feliz raised the point of order that, the hour of adjournment having arrived, the Assembly should stand adjourned.

ADJOURNMENT.

Whereupon the Speaker decided the point of order well taken, and declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 20, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

Quorum present.

LEAVE OF ABSENCE.

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

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journals of Thursday, February 14, 1901, Friday, February 15, 1901, and Monday, February 18, 1901, were read, corrected, and approved.

Mr. Sheridan was granted, by unanimous consent, the privilege of having his vote recorded "aye" on page twenty-one of the Journal of February 15th, on motion of Mr. Anderson of Solano, relative to appointment of select committee *in re* Assembly Bill No. 361.

REPORTS OF STANDING COMMITTEES.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor—have had the same under consideration, and report the same back with six amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MERRITT, Chairman.

Assembly Bill No. 694 re-referred to Committee on Ways and Means.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 523—An Act to compel the registering in counties wherein owned of any boat, vessel, or craft not required to be registered by the laws of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

BRADY, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 679—An Act to provide for the appointment of a Board of Monterey Custom House Trustees and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Assembly Bill No 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts.

Also: Assembly Bill No 662—An Act making an appropriation to pay the claim of the Berkeley "World-Gazette" for publishing the proposed constitutional amendments.

Also: Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Also: Senate Bill No. 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

Also: Senate Bill No. 238—An Act to pay the claim of Thos. J. Walsh for conveying the election returns of Presidential Electors to Sacramento.

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

Also: Assembly Bill No. 634—An Act appropriating $300 to pay the reward to C W. King for the arrest of "Indian Dick Hutchings," sometimes called "Indian Dick," for the murder of "Tyner Bill"—have had the same under consideration, and respectfully report the same back, with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No 601—An Act to appropriate the sum of $213.36 to pay the claim of C. A. Williams for money due and owing the said C A. Williams from 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. 286—An Act to provide for the appointment of a Board of Colton Hall Trustees and for the possession of the Colton Hall property, and providing for an appropriation for the protection and improvement of said property.

Also: Assembly Bill No. 210—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

FISK, Chairman.

Assembly Bill No. 210 withdrawn by author.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No 168—An Act entitled "An Act making it unlawful for the State Board of Prison Directors or the State Prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State in the manufacturing, cutting, or dressing any curbing or cross-walk material for street or sidewalk purposes, monuments, headstones, coping, posts, or steps suitable for use or to be used in cemetery work, cut granite for building purposes, and dimension stone for cemetery or building work, except such cut and dimension stone as may be used in State Prison buildings and walls, cut stone for arches in bridges and culverts for use on State highways, county or district roads"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 751—An Act to protect the laboring, mechanical, and manufacturing industries of this State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOURIGAN, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 581—An Act to establish uniform rates to be charged by any company or corporation doing business within municipal corporations exceeding twenty-five thousand inhabitants in the State of California for furnishing electric lights to the inhabitants thereof, and establishing the method of fixing said rates, and providing for a penalty for a violation of the provisions of this Act—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 723—An Act creating the office of matron of the jail or prison in and for cities and towns where none is now provided for by law, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment and the giving of official bond by such matron.

Also: Assembly Bill No. 759—An Act concerning the resignation of police officers after thirty years' service.

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

Also: Assembly Bill No 760—An Act to prevent discrimination in the administration of the police pension law—have had the same under consideration, report the same back with one amendment, and respectfully recommend that the same do pass as amended.

Also: Assembly Bill No. 750—An Act to amend 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 without recommendation.

Also: Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities—have had the same under consideration, report the same back with one amendment, and respectfully recommend that it do pass as amended

Also: Senate Bill No. 113—An Act relative to the meeting place of high-school boards within municipal corporations—have had the same under consideration, report the same back, and respectfully recommend that the same do pass.

Also: Senate Bill No. 235—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder—have had the same under consideration, report the same back, and respectfully recommend that it do pass as amended.

Also: Senate Bill No. 455—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863; and to repeal an Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SAVAGE, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Federal Relations, to whom was referred the message from the Governor printed on page nineteen of the Assembly Journal of

Monday, February 18, 1901—have considered the same, and have caused to be prepared the accompanying resolution in accordance with the recommendations of said message, the adoption of which resolution your committee hereby recommends:

WHEREAS, The Senate of the United States has recently passed an Act having for its object the purchase or condemnation of the Calaveras Sequoia Grove, which Act is now under consideration by the House of Representatives;

WHEREAS, Destruction of said grove is threatened and imminent;

WHEREAS, The said grove is of incalculable historical, scientific, and scenic value not only to California, but to the United States and the world at large;

WHEREAS, The people and Government of the State of California are ready and willing to do their full share toward the preservation of said grove as a park and public resort for nature-study and pleasure; and

WHEREAS, We feel fully justified in so doing because of the known desires of the people we represent; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we pledge the Government and people of the State of California, in the event of the passage by Congress of an Act making an appropriation for the purchase or condemnation of the Calaveras Sequoia Grove, to assume the management and expense of the maintenance and protection thereof

Resolved, That our Senators are instructed and our Representatives in Congress are requested to assure the Congress of the United States that the State of California will assume such management and expense and make all necessary appropriations therefor.

Resolved, That his Excellency Henry T. Gage, Governor of California, is hereby requested to telegraph a copy of these resolutions to Hon. Thomas R. Bard, United States Senator from California, for presentation to the Senate and House of Representatives and the Members of the Congress at Washington.

KNIGHT, Chairman.

Resolution read and adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 13—Relative to placing grain bags on the free list—have had the same under consideration, and respectfully report the same back, and recommend that the same be not adopted.

Also: Senate Joint Resolution No. 14—Relative to inviting the Committee on Rivers and Harbors of the House of Representatives to visit the State of California—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 763—An Act making an appropriation for the propagation of steelhead trout in Humboldt County—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISK, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following:

"ASSEMBLY CHAMBER, SACRAMENTO, February 18, 1901.

"MR SPEAKER: Your Committee on Commerce and Navigation respectfully report that, in accordance with a resolution adopted by your honorable body on Thursday, February 14, 1901, it has visited the harbor of San Pedro. There is now due the following-named persons the amounts set opposite their several names, for mileage:

George C. Brown	$101 40
J. F. Collins	101 40
J. J Hourigan (in lieu of F W. Barnes)	101 40
J. McD Kelley	101 40
George J. McLoughlin	101 40
C. W. Merritt (in lieu of G. G. Radcliff)	101 40
C. W. Pendleton (in lieu of B. H McNeil)	101 40
L. F. Reeber	101 40
W. H. Savage (in lieu of M. W. Brady)	101 40
Frank Storer (clerk)	101 40
Total	$1,014 00

"We therefore recommend the adoption of the following:

"*Resolved*, That the State Controller be and he is hereby directed to draw his warrant in favor of W. H. Savage for the sum of $1,014, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

"SAVAGE, Acting Chairman."

Have had the same under consideration, and respectfully report the same back, and recommend that the resolution be adopted.

EVATT, Chairman.

Report and resolution adopted.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 406—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the fortieth district—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. R. STEWART, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 46—An Act to amend the Code of Civil Procedure of this State by adding one new section thereto, to be numbered Section 1975, relating to the proof of proceedings of municipal corporations.

Also: Senate Bill No. 298—An Act to amend Section 379 of the Code of Civil Procedure.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 46—An Act to amend the Code of Civil Procedure of this State by adding one new section thereto, to be numbered Section 1975, relating to the proof of proceedings of municipal corporations.

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

Senate Bill No. 298—An Act to amend Section 379 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 19, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

Also: Assembly Bill No. 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging-camps.

Also: Assembly Bill No. 140—An Act to establish police courts in cities of the first and one half class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof.

Also: Assembly Bill No 377—An Act to amend Section 1329 of the Penal Code in relation to witnesses.

Also: Amended, and passed as amended, Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 95, 127, 140, and 377 ordered to enrollment.

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

SENATE AMENDMENTS.

Amend by striking out the words "as amended by chapter two hundred and sixty-two of the laws of eighteen hundred and ninety-seven," in lines three, four, and five, Section 1, page one, printed bill.

Also: Amend by striking out the words "as amended by chapter two hundred and sixty-two of the laws of eighteen hundred and ninety-seven," in line three of title, printed bill.

The question being, "Shall the Assembly concur in Senate amendments?"

The roll was called, and the amendments concurred in by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Carter, Chandler, Chiles, Clarke, Dunlap, Duryea, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, February 18, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose thereof, and prescibing the duties of the Controller and Treasurer in relation thereto.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

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

Also:

SENATE CHAMBER, SACRAMENTO, February 19, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 450—An Act to amend an Act entitled "An Act making it unlawful to refuse admission to places of amusement."

Also: Passed (as a case of urgency) Senate Bill No 582—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 450—An Act to amend an Act entitled "An Act making it unlawful to refuse admission to places of amusement."

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

Senate Bill No. 582—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Read first time, and ordered on file in place of Assembly Bill No. 763, they being identical bills.

Assembly Bill No. 763 withdrawn by author.

INTRODUCTION AND REFERENCE OF BILLS, ETC.

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

By Mr. Franklin: Assembly Bill No. 794—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

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

By Committee on State Hospitals and Asylums: Assembly Bill No. 795—An Act to permit asexualization of inmates of the State Hospitals and the California Home for the Care and Training of Feeble-Minded Children.

Read first time, and ordered placed on file.

By Mr. Higby: Assembly Bill No. 796—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Read first time, and referred to Committee on Judiciary.

By Mr. Bliss: Assembly Bill No. 797—An Act to amend Section 106 of the Code of Civil Procedure, relating to the territorial civil jurisdiction of justices' courts.

Read first time, and referred to Committee on Judiciary.

By Mr. Johnson: Assembly Bill No. 798—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 799—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read first time, and referred to Committee on Judiciary.

By Mr. Berry: Assembly Bill No. 800—An Act to amend Section 185 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Stewart of San Diego: Assembly Bill No. 801—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Schlesinger: Assembly Bill No. 802—An Act to amend the Civil Code of the State of California by adding thereto a new section, to be numbered 495, prohibiting railroad corporations from charging fare for minors under the age of twelve years, in certain cases.

Read first time, and referred to Committee on Corporations.

By Mr. Brown of San Mateo: Assembly Bill No. 803—An Act to amend Section 1 of an Act entitled "An Act to amend an Act entitled '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 its proceeds," approved March 23, 1893,' approved March 9, 1897," which became a law March 14, 1899.

Read first time, and referred to Committee on Judiciary.

By Mr. Ralston: Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

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

By Mr. Knight: Assembly Bill No. 805—An Act for the payment of the fees due to trial jurors who have served as such in the Superior Court of the City and County of San Francisco under the Act of 1895.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 806—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

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

By Mr. Kelley: Assembly Bill No. 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda.

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

By Mr. Sutro: Assembly Constitutional Amendment No. 27—A resolution to propose to the people of the State of California an amendment to the Constitution by adding to Article IV thereof a new section, to be known as Section 25½, relating to the division of the State into fish and game districts.

Read, and referred to Committee on Fish and Game.

MOTION.

Mr. Anderson of Solano moved that Senate message be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No 15—Relative to the purchase of the Calaveras Sequoia Grove.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Joint Resolution No. 15 read, and referred to Committee on Federal Relations.

MOTION.

Mr. McWade moved that Assembly Bill No. 390 be re-referred to Committee on Municipal Corporations for further consideration, and to retain its place on the file.

So ordered.

RESOLUTION.

By Mr. Guilfoyle:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized and directed to pay same, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for $1,265 85, same being for payment of bills as follows:

W. L. Reed	$20 00
Buffalo Brewing Co.	9 00
D Johnston & Co	6 70
D Johnston & Co.	1 40
Wm. G. Copeland	27 50
Tom Scott	25 55
Sunset Telephone and Telegraph Company	5 75
George B. Stack	11 90
George B. Stack	47 70
George B. Stack	37 70
F. R Pulford	38 25
John Breuner Co.	125 05
John Breuner Co.	182 00
John Breuner Co.	228 10
H S Crocker Co.	457 25
Ahl & Daily	41 00
	$1,265 85

Resolution read, and referred to Committee on Ways and Means.

NOTICE OF MOTION TO RECONSIDER.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly refused to adopt Assembly Constitutional Amendment No. 10—Relative to amending Article XI of the Constitution.

MOTION.

Mr. Sutro moved that consideration be continued one week.

So ordered.

Mr. Johnson moved that Assembly Bills Nos. 558 and 559 be passed temporarily on file.

So ordered.

Mr. Ray moved that Assembly Bill No. 472 (No. 267 on file) be placed on special file.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 14—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, and other livestock and animals, except for medicinal purposes, making the same a felony, and providing for the punishment thereof.

The question being, "Shall the bill become a law despite the Governor's veto?"

The roll was called, and the veto sustained by the following vote:

AYES—None.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Duryea, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Hubbard, James, John, Kelley, Kincaid, Knight, Laird, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller, Ray, Reeber, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—49.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Also: Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

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

RUTHERFORD, Chairman.

At eleven o'clock and fifteen minutes A. M., Speaker pro tem. Ralston was called to the chair.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 626 (Committee Substitute for Assembly Bill No. 118)—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

During reading of bill, the following amendments were offered:

By Mr. Cromwell:

Amend by striking out of Section 690, line sixty-six, page fifty-six, the word "twenty-five," and inserting the word "seventy-five."

Amendment adopted.

By Mr. Sheridan:

Amend by striking out of Section 235, line six, page ninety-four, the word "ten," and inserting the word "thirty."

Amendment adopted.

By Mr. Johnson:

Amend by striking out the words "without the filing of any contest," in line four of Section 304, page one hundred and twenty-five of the printed bill.

Amendment adopted.

At eleven o'clock and thirty-five minutes A. M., the Speaker resumed the chair.

By Mr. Webber:

Amend Section 136 of the printed bill by adding after the word "libraries," in line thirty-one, subdivision four, page fifty-five, the words "including one typewriter and one safe."

Amendment adopted.

By Mr. Brown of San Mateo:

Amend by striking out all of Section 91, and inserting the following in lieu thereof:

"SECTION 91. Section five hundred and thirty-eight of the Code of Civil Procedure is hereby amended to read as follows:

"Section 538. The clerk of the court must issue the writ of attachment upon receiving an affidavit by or on behalf of the plaintiff showing: that the defendant is indebted to the plaintiff (specifying the amount of such indebtedness over and above all legal set-offs or counter-claims) upon a contract, express or implied, for the direct payment of money, and that such contract was made or is payable in this State, and that the payment of the same has not been secured by any mortgage or lien upon real or personal property, or any pledge of personal property, or, if so secured, that such security has, without any act of the plaintiff, or the person to whom the security was given, become valueless; and that the attachment is not sought, and the action is not prosecuted to hinder, delay, or defraud any creditor of the defendant, and either—

"1. That the defendant is a foreign corporation, or

"2. That the defendant is not a resident of this State; or

"3. That the defendant conceals himself so that the ordinary process cannot be served upon him; or

"4. That the defendant has absconded, or absents himself from his usual place of abode in this State, so that the ordinary process of law cannot be served upon him; or

"5. That the defendant has removed, or is about to remove, any of his property from this State, with intent to delay or defraud his creditors; or

"6 That the defendant has assigned, secreted, or disposed of, or is about to assign, secrete, or dispose of any of his property, with intent to delay or defraud his creditors; or

"7. That the defendant is about to convert his property, or a part thereof, into money for the purpose of placing it beyond the reach of his creditors; or

"8. That the defendant has been guilty of fraud in contracting the debt, or incurring the obligation for which the action is brought; or

"9. In an action to recover damages for a tort where the complaint is verified and the plaintiff files an affidavit of merits and a verified application for an attachment."

Amendment adopted.

RECESS.

Pending further consideration of Assembly Bill No. 626, the hour of twelve o'clock M. having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

Mr. Anderson of Solano moved that messages from the Governor be taken up for consideration.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 240, entitled "An Act to regulate the practice of barbering, the registering and licensing of persons to carry on such practice, and to insure the better education and promote competency and skill among such practitioners in the State of California"; and Assembly Bill No. 254, entitled "An Act to promote the apicultural interests of the State of California by providing County Inspectors of Apiaries, and defining their duties and providing for their compensation, and repealing the Act entitled 'An Act to authorize the Boards of Supervisors of the several counties of this State to appoint Inspectors of Apiaries, and provide for their compensation and defining their duties, and for the further protection of bee culture,' approved March 13, 1883."

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 91, entitled "An Act to amend Section 870 of an Act entitled 'An Act to provide for the organization, incorporation, and government of municipal corporations,' approved March 13, 1883"; and Assembly Bill No 560, entitled "An Act to prevent the introduction, and provide for the investigation and suppression of contagious or infectious diseases, and appropriating money to be used for such purposes", and Assembly Bill No. 82, entitled "An Act to amend an Act entitled 'An Act to establish and support a Bureau of Labor Statistics,' approved March 3, 1883, by adding a new section thereto, to be numbered Section 12."

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901.

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 137, entitled "An Act appropriating the sum of $2,345.75 to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9 in the City and County of San Francisco, California."

I disapprove of this bill first, for the reason that the Controller is authorized to draw his warrant directly for the sum appropriated in favor of the Pacific Coast Steamship Company upon the San Francisco Harbor Improvement Fund, in violation of the provisions of the general law relative to payments out of said fund, and because I am informed that the State Harbor Commissioners have a valid and meritorious defense to said claim. In my opinion, the Pacific Coast Steamship Company should be compelled to have recourse to the courts for the establishment of its claim, and should not receive legislative aid upon an ex parte hearing.

It would appear to me that the bill is likewise special, because opposed to the nineteenth subdivision of Section 25 of Article IV of the Constitution, which prohibits the Legislature from granting to any corporation, association, or individual any special or exclusive right, privilege, or immunity.

By the provisions of Section 2535 of the Political Code, the State Treasurer can only pay out money from the San Francisco Harbor Improvement Fund as provided for in Article IX, Chapter I, Title VI of the Political Code, and by the provisions of Section 2529 of said Article IX no warrant shall be drawn by the Controller upon the Treasurer of the State unless the order bears all the signatures of the Harbor Commissioners and of the secretary of the board. To legislate in this particular instance, granting exemption from the general law, would be in my opinion a grant of a special privilege and immunity. The claim of the Pacific Coast Steamship Company should be at least presented to the Board of Harbor Commissioners and to the State Board of Examiners before permitting an appropriation to be made either from the State Harbor Improvement Fund or from the General Fund.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901.

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No 259, entitled "An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of coroners' inquests held on the body of any person confined in such prisons and schools."

This bill is principally designed to relieve the counties wherein the State prisons and reform schools are located from the burdens which necessarily flow from their establishment While on the one hand it might perhaps appear just that the State should be charged with the expenses following the care of its convicts, and of the inmates of its reform schools, yet, on the other hand, in view of past experience evidencing the eager competition of counties to have such penal institutions located in their particular localities, it might, perhaps, seem that the incidental burdens, as well as the benefits, should be endured by the counties wherein such penal institutions are established, particularly in view of the fact that the State pays one half of the salaries of the Judges of the Superior Court and the expenses of the transportation of all convicts and inmates of the reform schools, as well as the fees of officers for such transportation.

Independently, however, of the merits of the bill, I am compelled to disapprove of its provisions: first, because it conflicts in essential particulars with Section 111 of the Penal Code; and second, because its subject-matter relates to and should form part of said Penal Code, and therefore should be codified as required by Sections 249 and 250 of the Political Code

I am, nevertheless, of the opinion that the expenses incident to the arrest, keeping, examination, and trial of convicts, as well for escapes as for crimes committed in the State prisons, should be payable out of the money for the support of the State prisons after approval by the State Board of Prison Directors, as provided in Section 111 of the Penal Code, in addition to the approval by the State Board of Examiners, as required by the present measure

I am also of the opinion that the expenses incident to the arrest, keeping, and trial of the inmates of the reform schools should be likewise payable out of the funds for the support of the Whittier State School and the Preston School of Industry, after approval by the trustees of said institutions and by the State Board of Examiners.

In the future consideration of this bill, I respectfully suggest that a change be made in the following ambiguous language of Section 2, which reads: "for any coroner's inquest held on the body of any convict or inmate *who had been confined therein*, shall be a legal charge against the State."

As the time of confinement referred to is not limited by any words, this part of the sentence is capable of the construction that the expense of a coroner's inquest upon the body of any convict or inmate of a reform school should be a charge against the State if such convict or inmate had at any time been confined in such penal institution, although he had been previously lawfully discharged.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

LEAVE OF ABSENCE.

Mr. Cromwell was granted leave of absence until Monday morning, February 25, 1901.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Senate Joint Resolution No. 15—Relative to the purchase of the Calaveras Sequoia Grove, etc.—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman.

SENATE JOINT RESOLUTION No. 15.

Relative to the purchase of the Calaveras Sequoia Grove.

WHEREAS, A bill is now pending in the House of Representatives for the purchase by the Federal Government of the Calaveras Sequoia Grove; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That our Senators be instructed and our Representatives in Congress requested to use all proper means to secure the passage of Senate bill in Congress providing for the purchase or condemnation of the Calaveras Sequoia Grove; and be it further

Resolved, That the Legislature of the State of California do hereby pledge ourselves to provide for the expense of the management and maintenance of the same

Resolved, That a copy of this preamble and these resolutions be immediately telegraphed by the Secretary of the Senate to our Representatives in Congress.

Resolution read and adopted.

SENATE SPECIAL FILE.

Senate Bill No. 63—An Act to amend Section 739 of the Political Code, relating to officers of the Supreme Court and their salaries.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cromwell, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—57.

NOES—Mr. Milice—1.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks

Assembly Bill No. 100—An Act to amend Sections 692, 1303, 1490, 1547, and 1549 of the Code of Civil Procedure, relating to the publication of legal notices.

Assembly Bill No. 195—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Assembly Bill No. 349—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the officers of cities of the fifth class.

Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

Assembly Bill No. 379—An Act prescribing the conditions upon which corporations organized under the laws of any State or country, other than the State of California, may be permitted to transact a telephone business, other than an interstate telephone business, within the State of California, and prescribing the penalties for a violation of this Act.

Assembly Bill No 584—An Act to provide for the location, construction, and maintenance of a state highway commencing at a point in Contra Costa County at or near the residence of W. H Buckley on the Fish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel in Alameda County; creating the Alameda-Contra Costa Highway Fund; prescribing the duties of the various officers in connection therewith, and making an appropriation therefor

Assembly Bill No 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety

Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health.

FRANKLIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child stealing.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 278 as follows:

Strike out from lines seven, eight, and nine of Section 1 of the printed bill, the following: "or with the intent to demand any reward, ransom, or compensation for the restoration of such child."

So ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child stealing—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee

Report and amendment adopted.

Senate Bill No. 278 ordered to print and on file for final passage.

Senate Bill No. 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor.

Read second time.

Mr. John moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 102.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 102 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 102—An Act to establish the California Polytechnic School in the County of San Luis Obispo, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 102 ordered to third reading.

At two o'clock and thirty minutes P. M., Speaker pro tem. Ralston was called 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. Schlesinger: Assembly Bill No. 808—An Act to amend the Penal Code of California by adding a new section, to be numbered 343, relating to the manufacture, sale, or giving away of baneful or injurious food adulterants.

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

By Mr. Miller: Assembly Bill No. 809—An Act to amend Section 331 of the Penal Code in relation to gaming.

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

Also: Assembly Bill No. 810—An Act to amend Section 330 of the Penal Code in relation to gaming.

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

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and pro-

viding that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof.

Read third time.

Mr. Schillig moved that a select committee of one be appointed to amend Senate Bill No. 185 as follows:

"SEC. 2. This Act shall take effect on the first day of November, nineteen hundred and two"

Motion lost.

Mr. Johnson moved that a select committee of one be appointed to amend Senate Bill No. 185 as follows:

Amend by striking out the words "cans or glasses," in line seven of the printed bill, and by striking out the words "or canned or packed," in line ten of the printed bill.

Motion lost.

The question being on the final passage of the bill.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—65.

NOES—Messrs Hasson, Knowland, Schillig, and Sutro—4.

Title read and approved.

At three o'clock and fifteen minutes P. M., the Speaker resumed the chair.

MOTION.

Mr. Anderson of Solano moved that Governor's message be taken up for consideration.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901

To the Assembly of the State of California

I have the honor to inform your honorable body that I have this day received the report of the Paris Exposition Commission of 1900, together with a communication of which the following is a copy:

"SAN FRANCISCO, CAL., February 18, 1901

"HON. HENRY T. GAGE, *Governor of the State of California, Sacramento, California.*

"DEAR SIR: We herewith transmit to you the report of the California Paris Exposition Commission, which would have been presented weeks ago but for the fact that the vouchers and papers were in the hands of the investigating committee

"This report we send to you by Wells, Fargo & Co.'s Express. We hardly expect that you will be able to read it during the present session of the Legislature. We will see you after you have examined the report with reference to printing the same, which, under all the circumstances, we do not now consider necessary.

"All of the employés of the Commission, except the secretary, will to-morrow cease to draw salaries, and as soon as all claims are settled and goods delivered, which will be within a very short time, the money now in the hands of the Commission will be deposited in the State Treasury.

"Respectfully yours,

"CALIFORNIA PARIS EXPOSITION COMMISSION OF 1900.
"E. W. RUNYON, President.
"W. W FOOTE, Commissioner.
"V. W. GASKILL, Secretary"

As but one copy of the report of said Commission has been furnished, and as it is too voluminous to be transcribed with the limited help at my disposal, I beg leave to inform you that said report is on file in this department, subject to your inspection, and to such action as may be deemed advisable by your honorable body.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

THIRD-READING FILE.

Assembly Bill No. 558—An Act to amend the Penal Code by adding three new sections thereto, relating to crimes against the public health and safety.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Johnson, John, Kelley, Knight, Macbeth, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Rutherford, Savage, Schillig, Stewart of San Diego, Treadwell, Walker, Webber, Wright, and Mr. Speaker—50.

NOES—Messrs. Brown of San Mateo, Chiles, Clarke, Feliz, Foster, Irving, James, Kincaid, Knowland, Levinson, Mattos, Schlesinger, Sheridan, Simpson, Stewart of Amador, and Sutro—16.

Title read and approved.

Assembly Bill No. 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of the public health.

Mr. Brown of San Mateo moved that a select committee of one be appointed to amend Assembly Bill No. 559 as follows:

Strike out in line nineteen, Section 1, the words "the body of any living, or."

Also: Insert after the word "afflicted," in line twenty, a comma.

Also Insert after the word "afflicted," in line twenty, the following: "or the body of any living person afflicted"

Motion lost.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Johnson, John, Kelley, Knight, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schillig, Stewart of San Diego, Treadwell, Walker, Webber, Wright, and Mr. Speaker—54.

NOES—Messrs. Brown of San Mateo, Chandler, Chiles, Cowan, Feliz, Irving, James, Kincaid, Levinson, Schlesinger, Sheridan, Simpson, Sutro, and Williams—14.

Title read and approved.

RESOLUTIONS.

By Mr. Dunlap:

Resolved, That on and after February 24, 1901, no committee or member of the Assembly shall be excused from attending the sessions of the Assembly without unanimous consent of the Assembly, and all resolutions heretofore adopted in conflict with this resolution are hereby rescinded.

Resolution adopted.

By Mr. Bliss:

Resolved, That Mrs. J. Stokes be and is hereby appointed Assistant Janitress to the ladies' cloakroom at a per diem of $3, said appointment to take effect from February 19, 1901, and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly and the State Treasurer is hereby authorized to pay the same.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kelley, Levinson, Macbeth, Mattos, McWade, Merritt, Miller, Myers, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—Messrs. Chandler, Duryea, Irish, James, Kincaid, McNeil, Rutherford, and Sheridan—8.

MOTIONS TO RECONSIDER.

Mr. Stewart of Amador moved to reconsider the vote whereby an amendment to Section 91 of Assembly Bill No. 626 was this day adopted.

Mr. Cowan moved that the reconsideration be laid on the table.

Roll call was demanded by Messrs. Bauer, Cowan, and Sutro.

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

AYES—Messrs. Anderson of Solano, Barnes, Bennink, Berry, Bliss, Brown of San Mateo, Chandler, Cowan, Cromwell, Feliz, Foster, Greer, Haley, Hanen, Higby, James, Johnson, John, Knowland, Levinson, Mattos, McNeil, Milice, Ray, Sheridan, Simpson, Stewart of San Diego, and Williams—28.

NOES—Messrs. Atherton, Bauer, Brady, Broughton, Brown of San Francisco, Butler, Carter, Collins, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Guilfoyle, Henry, Hourigan, Irish, Irving, Kelley, Kincaid, Knight, Laird, Macbeth, McWade, Melick, Miller, Myers, Ralston, Reeber, Rutherford, Savage, Schlesinger, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—39.

The question being on the motion to reconsider the vote whereby an amendment to Section 91 of Assembly Bill No. 626 was this day adopted.

Roll call was demanded by Messrs. Stewart of Amador, Brown of San Mateo, and Chiles.

The roll was called, and the vote whereby Mr. H. W. Brown's amendment to Section 91 was this day adopted was reconsidered by the following vote:

AYES—Messrs. Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Collins, Dunlap, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Henry, Hourigan, Irish, Kelley, Kincaid, Knight, Laird, Macbeth, Mattos, McWade, Miller, Myers, Ralston, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Mr. Speaker—37.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Brown of San Mateo, Chiles, Cowan, Cromwell, Duryea, Feliz, Foster, Haley, Hasson, Higby, James, Johnson, Levinson, McNeil, Milice, Ray, Rutherford, Schillig, Sheridan, Walker, Webber, Williams, and Wright—28.

At four o'clock and twenty-five minutes P. M., Mr Treadwell moved that the time of recess be extended until foregoing reconsideration be disposed of.

So ordered.

Mr. Brown of San Mateo moved a call of the House.

Motion lost.

The question being on the adoption of amendment to Section 91 of Assembly Bill No. 626.

Amendment lost.

Ordered that Assembly Bill No. 626 keep its place on file, open to further amendments.

RECESS.

At four o'clock and thirty-five minutes P. M., a recess was declared.

REASSEMBLED.

The Assembly reconvened at seven o'clock and thirty minutes P. M.

Speaker Pendleton in the chair.

Quorum present.

RESOLUTION—(OUT OF ORDER).

By Mr. Schillig:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of $43 50, in favor of H. C. Megerle, to pay for articles as per the following bill:

SACRAMENTO, CAL., January 28, 1901.

Mr. Clio Lloyd, Chief Clerk Assembly, to H. C. Meqerle, Dr.

4 ink pads	$4 00
3 band dating stamps	12 00
2 desk pads	2 50
3 bottles ink	75
1 band dater "Adopted"	7 50
1 bottle purple ink	75
Engraving signature	2 50
1 ink pad	1 00
10 rubber stamps, 15 lines	7 50
1 stamp box	2 50
1 stamp box, movable partitions	2 50
Total	$43 50

Referred to Committee on Ways and Means.

THIRD-READING FILE—(RESUMED).

Mr. Webber asked and was granted unanimous consent to take up out of order and consider at this time Assembly Bill No. 588.

Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, by adding thereto after the figures "180" the letter "a," relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc.

Read third time.

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

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo Butler, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil McWade, Melick, Merritt, Miller Myers, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber. Wright, and Mr. Speaker—63.

NOES—None

Title read and approved.

Mr. Hourigan moved that Assembly Bill No. 214 (78 on file) and Assembly Bill No. 93 (196 on file) be transposed on file.

So ordered.

Assembly Bill No. 93—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Read third time.

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

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

NOES—Mr. Feliz—1.

Title read and approved.

Assembly Bill No. 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaged in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or

certificates may be designated, and to protect the holders thereof, and placing them under the supervision of the Bank Commissioners.

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

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chiles, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Mattos, Melick, Merritt, Miller, Myers, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—56.

NOES—None.

Title read and approved.

Mr. McWade moved that Assembly Bill No. 586 (133 on file) and Assembly Bill No. 59 (98 on file) be transposed on file.

So ordered.

Assembly Bill No. 586 (Committee Substitute for Assembly Bill No. 242)—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Read third time.

Mr. Broughton moved that a select committee of one be appointed to amend Assembly Bill No. 586 as follows:

AMENDMENT No. 1.

Amend by striking from line five, Section 1, the word "eight," and inserting in lieu thereof the word "ten."

AMENDMENT No. 2.

Amend by striking from line seven, Section 1, the first word "five," and inserting in lieu thereof the word "eight."

AMENDMENT No. 3.

Amend by striking from line four, Section 2, the words "one fifth," and inserting in lieu thereof the words "one half."

AMENDMENT No. 4

Amend by striking from line sixty-nine, Section 2, the word "five," and inserting in lieu thereof the word "eight."

AMENDMENT No. 5.

Amend by striking from line seventy-seven, Section 2, in the printed bill, the word "eight," and inserting in lieu thereof the word "ten."

AMENDMENT No. 6.

Amend by striking from line seven, Section 7, in the printed bill, the words "a majority," and inserting in lieu thereof the words "two thirds or more"

AMENDMENT No. 7.

Amend by striking from line seven, Section 1, in the printed bill, the last word, "five," and inserting in lieu thereof the word "seven."

AMENDMENT No. 8.

Amend by striking from line seventy-nine, Section 2, in the printed bill, the word "five," and inserting in lieu thereof the word "seven."

Motion carried, and it was so ordered.

Mr. Broughton was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 586—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—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BROUGHTON, Committee

Report and amendments adopted.

Assembly Bill No. 586 ordered to print, reengrossment, and on file for final passage.

At eight o'clock and twenty minutes P. M., the Speaker called Mr. Hourigan to the chair.

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test bottles, or other appliances showing false percentages of cream, butter-fat or richness, or which by their use are calculated to deceive or defraud.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McWade, Melick, Merritt, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—55

NOES—None

Title read and approved.

Mr. Johnson moved (by permission of Mr. Berry) that Assembly Bill No. 431 (100 on file) and Assembly Bill No. 231 (113 on file) be transposed on file.

So ordered.

Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Wright—62.

NOES—Mr. Simpson—1.

Title read and approved.

At eight o'clock and thirty-five minutes P. M., Mr. Hourigan, acting Speaker, called Mr. Fisk to the chair.

Assembly Bill No. 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—61.

NOES—None.

Title read and approved.

Assembly Bill No. 503—An Act making an appropriation of $750 to

pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Title read and approved.

At eight o'clock and fifty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 361—An Act to amend the Penal Code by adding a new section to Title XV, to be known as Section 637*a*, for the protection of meadow larks.

Mr. Sutro moved that a select committee of one be appointed to amend Assembly Bill No. 361 as follows:

Strike out of Section 1, line thirteen, the words "provided that nothing in this section", also, lines fourteen, fifteen, and sixteen

Motion lost.

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

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—57.

NOES—Messrs Cowan, Feliz, and Hasson—3

Title read and approved.

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the police department of cities, and cities and counties.

Read third time.

Mr. Henry moved that a select committee of one be appointed to amend Assembly Bill No. 425 as follows:

Insert after the word "cities," in line one, the words "of the first class," and add after the word "cities," in the title, the words "of the first class"

Motion carried, and it was so ordered.

Mr. Henry was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 425—An Act regulating the hours of service on regular duty by members of the police department of cities, and cities and counties—with instructions to amend, now reports that the instructions of the Assembly have been carried out

HENRY, Committee

Report and amendment adopted.

Assembly Bill No. 425 ordered to print, reengrossment, and on file for final passage.

Mr. Sutro moved that Assembly Bill No. 77 (90 on file) and Assembly Bill No. 76 (152 on file) be transposed on file.

So ordered.

Assembly Bill No. 76—An Act for the payment of jurors' fees in criminal cases in the Superior Courts.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Miller Myers, Ralston,

Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.

Assembly Bill No. 124—An Act to provide for the construction of a State highway, or model wagon road, from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock, and granite or stone blocks, for drains and culverts therefor

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, McNeil, McWade, Merritt, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Wright—51
NOES—Mr. Melick—1.

Title read and approved.

Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Knight, Laird, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Ralston, Ray, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—50.
NOES—None.

Title read and approved.

Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, Melick, Merritt, Miller, Ralston, Ray, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell Walker, Williams, Wright, and Mr. Speaker—55
NOES—None.

Title read and approved.

Assembly Bill No 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris Commissioner, and to make an appropriation to be expended under his direction in the discharge of his duties as such commissioner," approved March 24, 1893

Read third time.

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

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Chandler, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, James, Johnson, John,

Kincaid, Knight, Laird, Levinson, McNeil, Melick, Merritt, Ralston, Ray, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 368—An Act making an appropriation to pay the claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Read third time.

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

AYES—Messrs Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Ralston, Ray, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State.

Mr. Johnson moved that a select committee of one be appointed to amend Assembly Bill No. 111 as follows:

Strike out the words "July, nineteen hundred and one," in lines three and four of Section 8 of the printed bill, and insert in lieu thereof the words "January, nineteen hundred and two."

The motion carried, and it was so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State—with instructions to amend, now reports that the instructions of the Assembly have been carried out

JOHNSON, Committee.

Report and amendment adopted.

Assembly Bill No. 111 ordered to print, reëngrossment, and on file for final passage.

Mr. Melick asked for and was granted unanimous consent to have Assembly Concurrent Resolution No. 5 (No. 190 on file) placed on the special file.

Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property.

Read third time.

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

AYES—Messrs. Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Duryea, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, John, Knight, Macbeth, McNeil, Melick, Ralston, Ray, Reeber, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—43.

NOES—Messrs Anderson of Solano, Brown of San Mateo, Dunlap, Irish, James, and Mattos—6

Title read and approved.

Assembly Bill No. 499—An Act to amend an Act entitled "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," approved March 31, 1897.

Read third time.

Mr. Mattos moved that a select committee of one be appointed to amend Assembly Bill No. 499 as follows:

On page one, strike out all of lines one, two, and three, and insert in lieu thereof the following:

SECTION 1. Section 1 of an Act entitled "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," approved March 31, 1897.

Motion carried, and it was so ordered.

Mr. Mattos was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 499—An Act to amend an Act entitled "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," approved March 31, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MATTOS, Committee.

Report and amendment adopted.

Assembly Bill No. 499 ordered to print, reengrossment, and on file for final passage.

Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Mr. Stewart of San Diego moved that a select committee of one be appointed to amend Assembly Bill No. 497 as follows:

Amend by striking out the word "regulating," in lines twenty-two and twenty-three, and substituting therefor the words "relating to."

Motion carried, and it was so ordered.

Mr. Stewart of San Diego was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

C. R STEWART, Committee

Report and amendment adopted.

Assembly Bill No. 497 ordered to print, reëngrossment, and on file for final passage.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 95—An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information.

Assembly Bill No 127—An Act to provide for a lunch hour for laborers in sawmills, shakemills, shingle-mills, and logging-camps

Assembly Bill No. 142—An Act to amend an Act entitled "An Act to provide for the classification of municipal corporations," approved March 2, 1883, as amended by Chapter CCLXII of the Laws of 1897.

Assembly Bill No 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses

Assembly Bill No 140—An Act to establish Police Courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

And were presented to the Governor this day at nine o'clock and twenty-three minutes P M.

G. H. ANDERSON, Acting Chairman.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 21, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

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

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—73.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Higby and Ralston were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

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

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 19, 1901, was read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON CONTESTED ELECTIONS.

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901

In the matter of the contested election of Lorenzo A Henry for the office of member of the Assembly for the Forty-second Assembly District of the State of California, by William D. Wasson, contestant

Expenses of William D Wasson, contestant

Clerk's fees in filing complaint in Superior Court of the City and County of San Francisco		$6 00
Verification of complaint		50
Service of notice and complaint		1 50
Stenographer's fees, drawing complaint, notice, and commission, and copies thereof, 31 folios, at ten cents a folio for originals and five cents a folio for copies		12 40
Witness fees, five witnesses one day each and three witnesses two days each at $2 per day		22 00
Fees, subpœnaing witnesses and mileage		19 50
Two commissioners, G C. Groezinger and Thos. F. Dunn (one half of fee), at $5 each, six days		60 00
B. C. Brown, shorthand reporter, six days at $10 per day	$60 00	
Transcript of contestant's portion of testimony for official record, 978 folios at twenty cents a folio	195 60	
Copy of contestant's portion of testimony for use by contestant's attorneys, 978 folios at ten cents a folio	97 80	
Transcript of contestee's portion of testimony for use of contestant's attorneys, 786 folios at twenty cents a folio	157 20	
Cash paid for binding	1 50	
		512 10
Expenses of Hull McClaughry in attendance on committee at Sacramento		47 50
County Clerk, for transmission of depositions to Secretary of State		1 00
Hull McClaughry, attorney's fees		250 00
Clay P Gooding, attorney's fees		250 00
Notary's fees		3 50
Incidental expenses		20 00
Total		$1,206 50

Also:

In the matter of the contested election of Lorenzo A Henry for the office of member of the Assembly for the Forty-second Assembly District of the State of California, by William D Wasson, contestant, your committee have approved the following:

Expenses of William D. Wasson, contestant.

Clerk's fee in filing complaint in Superior Court of the City and County of San Francisco, verification of complaint, service of notice and complaint	$8 00
Stenographer's fees, drawing complaint, notice and commission, and copies thereof, 31 folios, at twenty cents a folio for originals and five cents a folio for copies	6 20
Witness fees, five witnesses one day each and three witnesses two days each at $2 per day, fees subpœnaing witnesses and mileage	41 50
Two commissioners, G C. Groezinger and Thos. F Dunn (one half of fee), at $5 each, six days	30 00
B. C Brown, shorthand reporter, six days at $5 per day	30 00
Transcript of contestant's portion of testimony for official record, 978 folios	48 90
Copy of contestant's portion of testimony for use by contestant's attorneys, 978 folios at ten cents a folio, and transcript of contestee's portion of testimony for use of contestant's attorneys, 786 folios at twenty cents a folio	39 40
County Clerk, for transmission of deposition to Secretary of State	1 00
Hull McClaughry, attorney's fees	100 00
Clay P Gooding, attorney's fees	
Notary's fees	3 50
Total	$308 50

Your Committee on Contested Elections have approved the above amounts, and recommend the following resolution:

Resolved, That the Controller is hereby authorized to draw his warrant in favor of Hull McClaughry, attorney for contestant, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, to be distributed in accordance with claims approved.

GUILFOYLE, Chairman

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Wasson vs. Henry, member-elect of the Forty-second Assembly District, beg to submit the following:

Filing answer in Superior Court, and notary's fees	$2 50
Typewritten answer, original, 21 folios at thirty cents	6 30
Four copies, 84 folios at fifteen cents	12 60
To attendance of stenographer for contestee in contested election case of William D. Wasson vs Lorenzo A. Henry, for the office of Member of the Assembly for the Forty-second District, January 7th 8th, 9th, 10th, 11th, and 12th. 6 days at $10	60 00
To transcript of depositions, for official record, of Chas. A. Flunn, S A Hussey, R. Muller, Thomas R. Keenan, H. C. Morrison, Geo Dawson, Chas. Beck, Roderick Banks, Chas W. Isham, Frank R. Boscoe, Lorenzo A. Henry, and Edward J. Murphy, said transcript being for the official record, 262 pages, 786 folios, 30 cents	235 80
One carbon copy of above, for use by attorneys for contestee, 786 folios at 15 cents	117 90
One transcript of depositions of Thos. J. Walsh, William D. Wasson, Thos W. McGeorge, M. L. Jancovich, Chas. P. Welch, Fred Franzen, W C. McGeorge, J. L. Holland, Harry M Lowrie, and Chas. R Gagan, said transcript being for use of attorneys for contestee, 978 folios at 20 cents	195 60
Services serving sixty subpœnas at $1.50 each	90 00
Mileage of clerk in serving subpœnas	13 00
Six days and evenings devoted by clerk to examining witnesses prior to producing them in court	60 00
One day's attendance of thirty-two witnesses at $2 each	64 00
Mileage of T. D Riordan, one of the attorneys for contestee, from San Francisco to Sacramento and return	16 80
Mileage of Maurice L Asher to and from Sacramento, one of the attorneys for contestee	16 80
Hotel and other expenses of attorneys at Sacramento	20 00
Mileage of Lorenzo A. Henry to and from Sacramento, to attend hearing before commissioners	16 80
Two days' attendance in San Francisco while attending said hearing	10 00
Expenses binding one volume of testimony	1 00
Justice's fee, Thomas F Dunn, seven days at $6 per diem	42 00
G C. Groezinger, seven days at $6 per diem	42 00
Fee. Thomas D Riordan, Edward Lande, and Maurice L. Asher, attorneys for contestee	200 00

Also

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Wasson vs. Henry, member-elect of the Forty-second Assembly District, beg to submit the following:

Filing answer in Superior Court, and notary's fees	$2 50
Typewritten answer, original, 21 folios, at ten cents	2 10
Four copies, eighty-four folios	12 30
To attendance of stenographer for contestee in contested election case of William D. Wasson vs. Lorenzo A. Henry, for the office of member of the Assembly for the Forty-second District, January 7th. 8th, 9th, 10th, 11th, and 12th—six days	30 00
To transcript of depositions for official record, of Chas A. Flunn, S A Hussey, B Muller, Thos. B. Keenan, H C Morrison, Geo Dawson, Chas Beck, Roderick Banks, Chas W. Isham, Frank R. Boscoe, Lorenzo A Henry, and Edward J. Murphy, said transcript being for the official record; 262 pages, 786 folios	48 70
One carbon copy of above, for use by attorneys for contestee, 786 folios	29 45
One transcript of depositions of Thomas J. Walsh, William D. Wasson, Thos. W McGeorge, M. L. Jancovich, Chas. P. Welch, Fred Franzen, W. C. McGeorge, J L. Holland, Harry M. Lowrie, and Charles R Gagan, said transcript being for use of attorneys for contestee, 978 folios, at twenty cents	48 90
Service serving sixty subpœnas, at 50 cents each	30 00

One day's attendance of thirty-two witnesses, at $2.00 each	$38 00
Mileage of Lorenzo A. Henry to and from Sacramento, to attend hearing before commissioners	16 80
Justice's fee, Thomas F. Dunn, seven days	21 00
G. C Groezinger, seven days	21 00
Fee, Thomas D. Riordan, Edward Lande, and Maurice L Asher, attorneys for contestee	200 00
Total	$500 80

Your committee have approved the foregoing claims, and hereby offer the following resolution

Resolved, That the Controller be and he hereby is authorized to draw his warrant in favor of Lorenzo A. Henry, for the sum of $500 80, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, the same to be distributed in accordance with above bills

GUILFOYLE, Chairman

Ordered printed in the Journal and on unfinished-business file.

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901

MR SPEAKER. Your Committee on Contested Elections, having had under consideration the bills in the case of Horan vs Collins, member-elect of the Twenty-ninth Assembly District, beg to submit the following:

Memorandum of costs incurred by contestee, Jeremiah F. Collins, in contest commenced by Thomas J Horan for the office of Member of the Assembly of the Twenty-ninth Assembly District

County Clerk's fees for verifying and filing answer, in Superior Court, City and County of San Francisco	$2 25
Typewriting answer, 18 folios at twenty cents	3 60
Two copies of same, 36 folios at ten cents	3 60
Reporter's fees, per diem, four days, January 12, 14, 16, and 18, 1901	40 00
Transcript of testimony of witnesses produced on behalf of contestee, filed in the office of the Secretary of State, 441 folios at 20 cents	88 20
Two copies of testimony of witnesses on behalf of contestant and contestee, 1,458 folios at ten cents	145 80
Commissioners' fee, T. F. Dunn and G C. Groezinger, Justices of the Peace, taking depositions, seven days	140 00
Service of 100 subpœnas and mileage at $1 50	150 00
One day's fee, each witness, on service of subpœna	200 00
Witness fees for five days' additional attendance of fourteen of said witnesses	140 00
Mileage and expenses of Jeremiah F Collins, attendance on commission in taking deposition January 9th	30 00
Mileage and expenses of Jeremiah F. Collins, attendance on commission in taking deposition January 12th	30 00
Services of two clerks in taking snap tally, during entire recount of votes cast in the Twenty-ninth Assembly District, in preparation for contest	200 00
Services of clerk in examining witnesses before trial	50 00
Mileage and expenses of attorney for contestee, attending hearing	30 00
Counsel fee of Leon Samuels, attorney for contestee	200 00
Total	$1,453 45

Memorandum of costs incurred by contestee, Jeremiah F. Collins, in contest commenced by Thomas J. Horan for the office of Member of the Assembly of the Twenty-ninth Assembly District.

County Clerk's fee for verifying and filing answer in Superior Court, City and County of San Francisco	$2 25
Reporter's fee, per diem, four days, January 12, 14, 16, and 18, 1901	20 00
Transcript of testimony of witnesses produced on behalf of contestee, filed in the office of the Secretary of State, 441 folios at twenty cents	44 20
Two copies of testimony of witnesses on behalf of contestant and contestee, 1,458 folios at ten cents	36 95
Commissioners' fee, T. F. Dunn and G. C Groezinger, Justice of the Peace, taking depositions, seven days	70 00
Service of 100 subpœnas, and mileage at fifty cents	50 00
One day's fee, each witness, on service of subpœna	60 00
Witness fee for five days' additional attendance of fourteen of said witnesses	40 00

Mileage and expenses of Jeremiah F. Collins, attendance on commission in taking deposition January 9th	$37 20
Mileage and expenses of Jeremiah F. Collins, attendance on commission in taking deposition January 12th	30 00
Counsel fee of Leon Samuels, attorney for contestee	200 00
Total	$590 60

Your Committee on Contested Elections have approved the foregoing claims, and offer the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Jeremiah F. Collins, contestee, and the Treasurer is instructed to pay the same, for the sum of $590 60, the same to be paid out of the Contingent Fund of the Assembly.

GUILFOYLE, Chairman.

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 20, 1901.

In the matter of the contested election of Jeremiah F. Collins for the office of Member of the Assembly of the State of California from the Twenty-ninth Assembly District, by Thomas J. Horan, contestant.

Expenses incurred by Thomas J. Horan, contestant.

K. McWilliams, stenographer, drawing statement of grounds of contest, notice of place and time for hearing and commission, 30 folios at 20 cents per folio	$6 00
Two copies of the said statement, notice and commission, 60 folios at ten cents per folio	6 00
County Clerk's fees filing statement of grounds of contest and verification thereof	6 50
Sheriff's fees for service of the aforesaid statement, notice and commission	85
Justices of the Peace, Thomas F. Dunn and G. C. Groezinger, commissioners, seven days for each of said Justices, at $10 a day	180 00
Stephen Potter, reporting testimony of contestant, Wednesday, January 9, 1901	10 00
Stephen Potter, transcribing testimony of contestant, Wednesday, January 9th, one original, sixty-one folios at twenty cents a folio, filed with Secretary of State	12 20
Stephen Potter, transcribing two copies of the same and furnished to counsel for contestant and contestee, 122 folios at ten cents a folio	12 20
D. W. Long, reporting testimony of witnesses produced by contestant Thursday, January 10, and Friday, January 11, 1901, two days	20 00
D. W. Long, transcribing testimony of witnesses produced by contestant January 10 and January 11, 1901, and filed with Secretary of State, 288 folios at twenty cents a folio	57 60
D. W. Long, transcript of testimony of witnesses on behalf of contestant and contestee, furnished to counsel for contestant, 729 folios at ten cents a folio	72 90
Fees, County Clerk, transmission of testimony to Secretary of State	50
Expenses of John J. Greeley, attorney for contestant, in attendance on committee at Sacramento, two trips	23 50
Expenses of Thomas J. Horan in attendance on committee	9 00
John J. Greely, attorney's fee	200 00
Herman Gudstadt, witness' fee	2 00
William Zanders, witness' fees, three days	6 00
Total	$625 25

GUILFOYLE, Chairman

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA.
SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Contested Elections, in the matter of the contested election of Jeremiah F. Collins for the office of Member of the Assembly of the State of California from the Twenty-ninth Assembly District, by Thomas J. Horan, contestant, beg leave to approve the following amounts:

Expenses incurred by Thomas J. Horan, contestant

County Clerk's fees, filing statement of grounds of contest and verification thereof	$6 50
Sheriff's fees, for service of the aforesaid statement, notice, and commission	85
Justices of the Peace, Thomas F. Dunn and G. C. Groezinger, commissioners, seven days for each of said Justices at $10 a day	70 00

Stephen Potter, *reporting of contestant*, Wednesday, January 9, 1901; Stephen Potter, transcribing testimony of contestant, Wednesday, January 9, one original, 61 folios, at twenty cents a folio, filed with the Secretary of State; Stephen Potter, transcribing two copies of the same and furnished to counsel for contestant and contestee, 122 folios at ten cents a folio	$17 20
D. W. Long, transcribing testimony of witnesses produced by contestant, January 10 and January 11, 1901, and filing with the Secretary of State, 288 folios at twenty cents a folio, D. W Long, transcript of testimony of witnesses on behalf of contestant and contestee, furnished to counsel for contestant, 792 folios at ten cents a folio	75 75
Fees of County Clerk, transmission of testimony to Secretary of State	50
John J. Greely, attorney's fees	100 00
Total	$270 80

We recommend the adoption of the following:

Resolved, That the Controller is hereby authorized to draw his warrant in favor of John J. Greely, attorney for contestant, for the sum of $270 80, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, and distribute same in accordance with bills allowed.

GUILFOYLE, Chairman.

Ordered printed in the Journal and on unfinished-business file.

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Strand vs. Butler, beg leave to submit the following with their approval:

Expenses of John Butler, contestee.

County Clerk's fee in Superior Court, filing answer	$2 00
Notary public's verification to answer	50
Shorthand reporter, per diem, three days, January 14th, 15th, and 16th at $10	30 00
Transcribing 100 folios at thirty cents	30 00
Five copies of same, 100 folios each, at fifteen cents	75 00
Typewriting answer, 24 folios, at twenty cents	4 80
Typewriting answer, three copies, 24 folios each, at ten cents	7 20
Commissioners' fees, Justices Dunn and Groezinger, 100 folios at thirty cents	30 00
Subpœnaing sixty witnesses at $1.50	90 00
Per diem, eight witnesses, one day each	16 00
Forty witnesses, two days each	160 00
Twelve witnesses, three days each	72 00
Mileage of John S. Partridge, attorney for contestee	16 80
Counsel fees, John S. Partridge, attorney for contestee	200 00
Total	$896 60

Expenses of John Butler, contestee.

County Clerk's fee in Superior Court, filing answer	$2 00
Notary public's verification	50
Shorthand reporter, per diem, three days, January 14th, 15th and 16th, at $5	15 00
Transcribing 100 folios	15 00
Five copies of same, 100 folios each, at fifteen cents	25 00
Commissioners' fees, Justices Dunn and Groezinger, 100 folios at thirty cents	15 00
Subpœnaing sixty witnesses at fifty cents	30 00
Per diem, eight witnesses, one day each	16 00
Forty witnesses, two days each	80 00
Twelve witnesses, three days each	21 00
Counsel fees, John S. Partridge, attorney for contestee	200 00
Mileage of John Butler, contestee	16 80
Total	$436 30

And we hereby offer the following resolution:

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 Butler, contestee, in said

sum of $436.50, to be distributed by him in accordance with bills allowed, said money to be drawn from the Contingent Fund of the Assembly.

GUILFOYLE, Chairman

In the matter of the contest of the right of John Butler to exercise the office of Assemblyman of the Thirty-third Assembly District.

Expenses incurred by contestant, Joseph X. Strand.

County Clerk's fee, filing statement of grounds of contest	$6 00
Affidavit to statement	50
Sheriff's fee, service of statement on contestee	95
Typewriting grounds of contest, notice, and commission	5 00
Daniel S. O'Brien, attorney's fee	50 00
Total	$62 45

We hereby offer the following resolution:

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 Daniel S. O'Brien, attorney for contestant, in said sum of $62.45, to be distributed by him in accordance with bills allowed, said money to be drawn from the Contingent Fund of the Assembly

GUILFOYLE, Chairman.

Ordered printed in Journal and on unfinished-business file.

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901.

MR SPEAKER. Your Committee on Contested Elections, having had under consideration the bills in the case of Lacy vs Franklin, beg to submit the following:

Expenses of Eugene F. Lacy, contestant.

County Clerk's and notary's fees in Superior Court, San Francisco, in filing contest	$6 50
Certified copy grounds of contest	1 00
Typewriting grounds of contest, 48 folios at twenty cents	9 60
Two copies same, 96 folios at ten cents	9 60
Sheriff's fees, service process	1 50
Same, service subpœna	1 50
Telegram to chairman committee	1 25
Witness fees, G. F. Dougherty, three days	6 00
Same, Fred Russell, three days	6 00
Reporter's fees, per diem, one day	10 00
Transcript testimony, original, 124 folios at thirty cents	37 50
Same, five copies, 620 folios at fifteen cents	93 00
Mileage of F. G. Drury, contestant's attorney	16 80
Same, E. F. Lacy, contestant	16 80
Expenses of F. G. Drury attending hearing	10 00
Same, E. F Lacy	10 00
Counsel fee of Lynch & Drury, contestant's attorneys	100 00
Total	$342 35

Expenses of Charles R. Franklin, contestee

County Clerk's and notary's fee in Superior Court, San Francisco, in answering contest	$2 50
Typewriting answer, 42 folios at twenty cents	8 40
Two copies same, 84 folios at ten cents	8 40
Reporter's fees, per diem, four days, 8th, 9th, 10th, and 11th January	40 00
Taking and transcribing testimony, 645 folios at thirty cents	193 50
Five copies same, 3,225 folios at fifteen cents	483 75
Commissioners' fees, T. F Dunn and G. C. Groezinger, Justices of the Peace, taking depositions, 645 folios at thirty cents	193 50
Service of seventy subpœnas at $1.50	105 00
Mileage paid witnesses	7 00
One day's attendance advanced each witness on service of subpœnas	140 00
Three days' additional attendance of sixteen of said witnesses	96 00
Mileage of Wm Barry and T Dulleghan, subpœnaed to appear as witnesses before committee	33 60
Mileage of Augustus Tilden, attorney for contestee	16 80
Expenses of Augustus Tilden attending hearing	10 00
Services of clerk in examining witnesses before trial	50 00
Counsel fee of Augustus Tilden	200 00
Total	$1,588 45

Also:

IN THE ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Contested Elections, having had under consideration the bills in the case of Lacy vs. Franklin, beg to submit the following, with their approval:

Expenses of Eugene F Lacy, contestant.

County Clerk's and notary's fees in Superior Court, San Francisco, in filing contest	$6 50
Sheriff's fee, service process	1 50
Same, service subpœna	50
Witness fees, G. F Dougherty, three days	$6 00
Same, Fred Russell, three days	6 00
Reporter's fee, per diem, one day	5 00
Transcript testimony, original, 124 folios	12 50
Same, five copies, 620 folios	23 25
Mileage, Eugene Lacy	16 80
Counsel fee of Lynch & Drury, contestant's attorneys	100 00
Total	$178 05

And we herewith offer the following resolution:

Resolved, That the Controller be and he hereby is authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Frank G. Drury, of the firm of Lynch & Drury, attorneys for contestant, in the sum of $178 05, to be paid out of the Contingent Fund of the Assembly, and to be by him distributed in accordance with the bills allowed.

Expenses of Charles R Franklin, contestee.

County Clerk's and notary's fee in Superior Court, San Francisco, in answering contest	$2 50
Reporter's fee, per diem, four days, 8th, 9th, 10th, and 11th of January	20 00
Taking and transcribing testimony, 645 folios at thirty cents	48 50
Five copies same, 3,225 folios at fifteen cents	96 75
Commissioners' fees, T. F Dunn and G C Groezinger, Justices of Peace, taking depositions, 645 folios at thirty cents	96 75
Service of seventy subpœnas at fifty cents	35 00
Mileage for Charles R Franklin	16 80
One day's attendance advanced each witness on service of subpœna	56 00
Three days' additional attendance of sixteen of said witnesses	25 00
Counsel fees of Augustus Tilden	200 00
Total	$597 30

And we herewith offer the following resolution:

Resolved, That the Controller be and he hereby is authorized to draw his warrant and the Treasurer is instructed to pay the same, in favor of Charles R. Franklin, contestee, in the sum of $597.30, to be paid out of the Contingent Fund of the Assembly, and to be by him distributed in accordance with bills allowed.

GUILFOYLE, Chairman.

Ordered printed in the Journal and on unfinished-business file.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No. 770—An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water-front at San Francisco, California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 533—An Act to amend Section 2524 of the Political Code of the State of California.

Also: Assembly Bill No 534—An Act to amend Section 2921 of the Political Code of the State of California

Also: Assembly Bill No 535—An Act to amend Section 2527 of the Political Code of the State of California, and to validate all contracts for harbor improvements made thereunder

Also: Assembly Bill No. 536—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895.

Also: Assembly Bill No. 537—An Act concerning, confirming, and ratifying leases and other contracts made by any officer or boards of officers of this State.

Also: Assembly Constitutional Amendment No. 18—A resolution proposing to the people of the State of California an amendment to Section 3 of Article XV of the Constitution of the State of California, relating to harbor-fronts and tide-waters

Have had the same under consideration, and respectfully report the same back without recommendation.

BRADY, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 703—An Act to amend an Act entitled 'An Act to establish a uniform system of county and township governments," approved April 1, 1897—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 accompanying committee substitute take its place.

McWADE, Chairman.

Assembly Bill No. 703 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

Assembly Bill No. 811 (Committee Substitute for Assembly Bill No. 703)—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and ordered on file for second reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER. Your Committee on County and Township Governments, to whom was referred Assembly Bill No 192—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 184 thereof, relating to county officers, their compensation and expenses in counties of the twenty-seventh class—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 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

Also. Assembly Bill No. 630—An Act to amend Section 196 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Also: Assembly Bill No 775—An Act to amend Section 204 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

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

McWADE, Chairman.

Assembly Bill No. 192 withdrawn by author.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No 185—An Act amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California—report the same back, with leave given the author to withdraw same, as the subject-matter is covered by bills already passed.

Also: Assembly Bill No. 186—An Act to amend Sections 1, 2, and 10 of an Act entitled "An Act to define the duties of and to license land surveyors," approved March 31, 1891—report the same back, with the recommendation that it do not pass.

Also: Assembly Bill No 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names—report the same back with two amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crime against public justice, said section to be numbered 181.

Also: Assembly Bill No 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors.

Report the same back, with the recommendation that they do pass.

Also: Assembly Bill No 414—An Act to amend Section 3823 of the Political Code of the State of California—report the same back with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No. 605—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board—report the same back without recommendation.

Also Assembly Constitutional Amendment No. 12—Relative to amending Section 7 of the Constitution, relating to juries—report the same back, with the recommendation that it do pass

Also: Assembly Constitutional Amendment No. 15—Relative to private claims against the State

Also: Assembly Bill No. 784—An Act to amend Section 475 of the Political Code of the State of California, relative to appointment of certain officers and clerks in the Attorney-General's office—and report the same back by a majority vote that it do pass.

JOHNSON, Chairman.

Assembly Bill No. 185 withdrawn by author.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed.

Assembly Bill No 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

FRANKLIN, Chairman.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901

MR. SPEAKER: Your Committee on Corporations, to whom was referred Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country, to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

BROUGHTON, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901

MR SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 135—An Act to amend Section 2756 of the Civil Code of the State of California, relating to fire insurance—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BROUGHTON, Chairman.

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Assembly Bill No. 498—An Act to amend Sections 1917, 1918, 1936, 1939, 1962, 1980, 1984, 2009, 2076, 2077, 2105, to repeal Section 1990; and to add new sections, to be known and numbered as Sections 1973*a*, 2106, all of and to the Political Code of the State of California, relating to the National Guard—have had the same under consideration, and respectfully report the same back, and recommend that the enclosed bill of the committee be substituted.

BENNINK, Chairman.

Assembly Bill No. 498 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Military Affairs: Assembly Bill No. 812 (Committee Substitute for Assembly Bill No. 498)—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, and 2094; to repeal Sections 1981, 1983, 1990, 1992, and 2032; and to add a new section, to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard.

Read first time, and ordered placed on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER. Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No 739—An Act to provide for the purchase of live-stock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

IRISH, Chairman.

Assembly Bill No. 739 re-referred to Committee on Ways and Means.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Assembly Bill No 790—An Act to amend an Act entitled "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, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, by repealing Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, 17, and 18 thereof—have had the same under consideration, and report back, and recommend that the author be allowed to withdraw the same, and that the accompanying bill be substituted therefor, and that said substitute do pass.

MILICE, Chairman

Assembly Bill No. 790 withdrawn by author.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Irrigation: Assembly Bill No. 813 (Committee Substitute for Assembly Bill No. 790)—An Act to amend an Act entitled "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, to provide for the payment of such bonds and for proceedings to test the validity of same," approved April 1, 1897, by repealing Sections 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, and 18 thereof.

Read first time, and ordered on file.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bills Nos 93 to 101, inclusive—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3889 of the Political Code of the State of California, relating to the assessment and collection of taxes.

Also: Senate Bill No 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds and their eggs and nests.

Also: Committee Substitute for Senate Bill No 116—An Act to amend the Penal Code by adding a new section to Title VIII, Chapter X thereof, to be known as Section 258, defining and providing a penalty for the crime of slander.

Also: Senate Bill No. 187—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Also: Senate Bill No 231—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication, and the taking of affidavits to be used in procuring the order for publication of summons.

Also: Senate Bill No 366—An Act to authorize suits against the State concerning certain real property, and regulating the procedure therein.

Also: Senate Bill No. 473—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Committee Substitute for Senate Bills Nos. 93 to 101, inclusive—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3889 of the Political Code of the State of California, relating to the assessment and collection of taxes.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds, and their eggs and nests.

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

Committee Substitute for Senate Bill No. 116—An Act to amend the Penal Code by adding a new section to Title VIII, Chapter X thereof, to be known as Section 258, defining and providing a penalty for the crime of slander.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 187—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read first time, and ordered on file for second reading without reference to committee.

Senate Bill No 231 —An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication, and the taking of affidavits to be used in procuring the order for publication of summons.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 366—An Act to authorize suits against the State concerning certain real property, and regulating the procedure therein.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 473—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Read first time, and referred to Committee on Labor and Capital.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Also: Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Also: Assembly Bill No. 139—An Act to amend Section 103 of the Code of Civil Procedure

Also: Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates, by providing for the designation of what proportion of the rates fixed is for annual reasonable expenses and what proportion is for net annual receipts and profits

Also: Assembly Bill No 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 47, 80, 139, 187, and 271 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No. 11—Relative to what are commonly known as and called the "California War Claims."

Also: The Senate herewith returns to your honorable body Assembly Joint Resolution No. 2—Relative to Chinese immigration—with the request that the Assembly permit author to withdraw said resolution, as the same subject-matter was contained in Committee Substitute to Senate Joint Resolutions Nos. 3, 4, and 5, adopted by both houses, and reported correctly enrolled in the Senate.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Joint Resolution No. 11 ordered to enrollment.

Assembly Joint Resolution No. 2 withdrawn by author.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

HENRY, Chairman.

Mr. Schlesinger moved that Senate Bill No. 118 be substituted for Assembly Bill No. 209, they being identical.

So ordered.

Assembly Bill No. 209 withdrawn by author.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 733—An Act to provide for the payment of a claim of $2,100 in favor of I. H. Stanley for work done on reclamation district contracts

Also: Assembly Bill No. 734—An Act to pay the claim of Tyra Stanley for work done under Acts of the Legislature.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 524—An Act making an appropriation to pay the claim of D. E O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HENRY, Chairman.

Assembly Bills Nos. 733, 734, and 524 re-referred to Committee on Ways and Means.

MOTION.

Mr. Dunlap moved that Senate Bill No. 366 be substituted for Assembly Bill No. 486, they being identical.

So ordered.

Assembly Bill No. 486 withdrawn by author.

INTRODUCTION AND REFERENCE OF BILLS.

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

By Mr. McWade: Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over 20,000 wherein official matrons or their duties are not now provided for by law, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

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

By Mr. McWade: Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

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

By Mr. Hanen: Assembly Bill No. 816—An Act to amend subdivision sixteen of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relative to the powers of Boards of Supervisors.

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

By Mr. Laird: Assembly Constitutional Amendment No. 28—A resolution proposing to the people of the State of California amendments to the Constitution of the State, amending Article XX by adding thereto two new sections, to be known as Sections 21 and 22, relating to a State commission to have charge in certain respects of railroads, transportation companies, common carriers, banks, insurance companies, water, gas, and electric light and power, telephone companies, telegraph companies and sleeping-car companies and express companies, and of certain services and commodities, howsoever supplied to the public, and regulations concerning the same, and repealing certain present constitutional provisions relative to the same subjects.

Read first time, and referred to Committee on Corporations.

By Mr. Rutherford: Assembly Bill No. 817—An Act to amend Section 1775 of the Political Code, empowering County Boards of Education to grant teachers' certificates without examination.

Read first time, and referred to Committee on Education.

By Mr. Wright: Assembly Bill No. 818—An Act to amend Section 161 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

Also: Assembly Bill No. 819—An Act to amend Section 161 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Gans: Assembly Bill No. 820—An Act to repeal Subdivision 9 of Section 1521 of the Political Code, relating to an educational journal.

Read first time, and referred to Committee on Education.

Also: Assembly Bill No. 821—An Act to amend Section 193 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Kelley: Assembly Bill No. 822—An Act to amend an Act

entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

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

By Mr. Brown of San Mateo: Assembly Bill No. 823—An Act to establish a uniform system of township governments, and providing for submitting the same to a vote of the people of the several counties in this State.

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

By Mr. Macbeth: Assembly Bill No. 824—An Act to amend Section 542 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Folsom State Prison at Folsom, California, have visited the same. The following members are entitled to mileage for same, to wit: forty-six miles.

Irish, chairman	$4 60
Savage	4 60
Brown of San Mateo	4 60
Merritt	4 60
Evatt	4 60
Franklin	4 60
Schlesinger	4 60
Simpson	4 60
	$36 80

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of J. B. Irish, Chairman of the Committee on State Prisons and Reformatory Institutions, for the sum of $36.80, as per foregoing statement, and the Treasurer is directed to pay the same.

Also: To whom was granted leave of absence to visit the Preston School of Industry, located at Ione, have visited the same. The following members are entitled to mileage for same, to wit: one hundred and eight miles:

Irish, chairman	$10 80
Milice (in lieu of Savage)	10 80
Merritt	10 80
Evatt	10 80
Franklin	10 80
Schlesinger	10 80
Simpson	10 80
	$75 60

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of J. B Irish, Chairman of the Committee on State Prisons and Reformatory Institutions, for the sum of $75 60, as per foregoing statement, and the Treasurer is directed to pay the same.

IRISH, Chairman.

Read, and referred to Committee on Mileage.

RESOLUTION OF RESPECT.

Mr. Johnson moved the adoption of the following resolution:

WHEREAS, We have just learned with unfeigned sorrow of the death of the Hon. Stephen M. White, formerly State Senator from Los Angeles County, and formerly United States Senator from California; and,

WHEREAS, It is fit and proper that the feelings of the State of California, represented

by the Assembly of the State, should be expressed in reference to the life and death of one who filled so important a place in the affairs of this commonwealth; therefore, be it

Resolved, That in the death of Stephen M White our State has lost a man whose every act in private and public life was governed by a desire to aid the State which was honored by his birth, and whose career as a public man is free from blot, or blemish, or scandal, or taint of corruption, and who, in his private life, displayed those amiable qualities which attached men to him as with hooks of steel, regardless of their political faith, and who, as a citizen, it was the pride and pleasure of all to know and claim as a friend, and who has, by the success which attended his efforts in life, shown that, in this country, lack of fortune does not prevent a man from attaining by his own exertions the highest distinctions in the gift of the people; and be it further

Resolved, That we tender to the family of our dead Senator our sincere sympathy, and assure them that, while they peculiarly feel the loss of a kind and loving father and husband, we mourn the loss of one who was at once a friend of the people, a leader in good works, and a public servant of whom it could be said, at all times, that his work was well done, with an earnest and heartfelt effort to do his duty as he understood it; and be it further

Resolved, That, as a further mark of esteem for his memory, when this Assembly adjourns to-day it do so out of respect for the Hon. Stephen M. White; and be it further

Resolved, That a copy of these resolutions, duly engrossed and attested by the Speaker and Chief Clerk, be forwarded to the family of the deceased.

Resolution read, and adopted unanimously by a rising vote.

MOTION.

Mr. James moved that Assembly Constitutional Amendment No. 9 be recalled from the Senate for purposes of amendment.

The question being on the motion of Mr. James.

Roll call was demanded by Messrs. Myers, James, and Clarke.

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

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cowan, Feliz, Fisk, Foster, Franklin, Greer, Gulfoyle, Hanen, Hasson, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Reeber, Savage, Schlesinger, Sheridan, Stewart of Amador, Sutro, Webber, and Wright—45.

NOES—Messrs. Anderson of Solano, Atherton, Butler, Chandler, Evatt, Haley, Myers, Simpson, Stewart of San Diego, and Walker—10.

At eleven o'clock A. M., the Speaker called Mr. Dunlap to the chair.

HOUR OF RECESS EXTENDED.

Mr. Knowland moved that the time of noon recess be extended until the contempt proceedings set for this hour against Mr. Coffey and others be disposed of.

So ordered.

At eleven o'clock and forty minutes A. M., the Speaker resumed the chair.

SPECIAL ORDER.

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Relative to tendering thanks to His Excellency William McKinley, President of the United States; His Excellency John Hay, Secretary of State; His Excellency Henry T Gage, Governor of California; and to our Senators and Representatives, for prompt action in regard to the bubonic plague scare of 1900.

WHEREAS, Early in the year A. D. nineteen hundred, it was incorrectly reported, either by mistake or through malice, that the dreadful bubonic plague existed in the Chinese quarter of the City of San Francisco, which report was spread broadcast over the world and resulted in various quarantines, local and State, being established, and in great and irreparable injury to many of the interests of our people;

WHEREAS, His Excellency the Governor personally directed and participated in a prompt and thorough investigation of the conditions relative to the alleged existence of the plague as so reported, at the request of His Excellency John Hay, Secretary of State at Washington, which investigation established beyond doubt that said reported existence of the bubonic plague was without foundation in fact; and the result of which investigation was immediately reported to the Secretary of State at Washington, and by him laid before the President for consideration and advisement.

WHEREAS, Upon the establishment by one Dr. Kinyoun, Federal Quarantine Officer stationed at San Francisco, of a Federal quarantine against the entire State, our Governor also telegraphed a supplemental appeal direct to the President of the United States for release thereof; and our Senators and Representatives in Congress also promptly and efficiently appealed to the President for relief from said quarantine

WHEREAS, His Excellency the President, and his Excellency the Secretary of State at Washington, promptly caused the release of said Federal quarantine upon receipt of said report and appeals; and,

WHEREAS The said actions of the President and of his Secretary of State, and of our Governor, Senators, and Representatives in Congress, had the effect of almost entirely dispelling the impression which had gone abroad as to the existence of the plague within our State, and of ameliorating the deplorable condition into which the plague scare had thrown the business interests of the people, and of checking further loss of their goods and further shrinkage in the values thereof; therefore, be it, and it is

Resolved by the Assembly of the State of California, the Senate concurring, That the grateful thanks of the entire people of this State are due and hereby tendered to His Excellency William McKinley, President of the United States; to His Excellency John Hay, Secretary of State at Washington, D C.; to His Excellency Henry T. Gage, Governor of the State of California, and to each of our Senators and Representatives in Congress, for the respective parts taken by them in the matters in this resolution above mentioned; that Hon. Charles F Curry, Secretary of State for the State of California, be and he is requested to properly engross and certify one copy hereof for, and to forward the same to, each of the persons herein mentioned and tender the thanks of the people.

Mr. Laird moved to amend the resolution as follows:

Amend by striking out, in line two, the word "incorrectly," and also by striking out in said line two, the words "either by mistake or through malice"

Also: Amend by striking out the following, beginning in line five, after the word "Washington": "which investigation established beyond doubt that said reported existence of the bubonic plague was without foundation in fact," in line seven, being all words between the word "Washington," in line five, and the word "and," in line seven.

The question being on the adoption of the amendments.

Roll call was demanded by Messrs. Laird, Knight, and Irish.

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

AYES—Messrs Anderson of Santa Clara, Chandler, Haley, Irish, Kincaid, Laird, Levinson, Milice, Miller, Radcliff, Sheridan, Stewart of Amador, and Sutro—13.

NOES—Messrs Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chiles, Clarke, Cowan, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Hasson, Hourigan, Johnson, John, Knight, Knowland, Mattos, McLoughlin, McWade, Melick, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Simpson, Stewart of San Diego, Treadwell, Walker, Wright, and Mr Speaker—42.

Mr. Treadwell moved the previous question.

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

So ordered.

The question being on the adoption of Assembly Concurrent Resolution No. 6.

Roll call was demanded by Messrs. Knight, Sutro, and Brown of San Mateo.

The roll was called, and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Brady, Broughton, Butler, Carter, Clarke, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Hasson, Hourigan, Johnson, John, Kelley, Knight, McWade, Reeber, Roberts Rutherford, Savage, Schilig, Stewart of San Diego, Treadwell, Webber, Wright, and Mr. Speaker—31

NOES—Messrs Anderson of Santa Clara, Atherton, Berry, Brown of San Mateo, Chandler, Chiles, Collins, Cowan, Feliz, Foster, Haley, Hubbard, Irish, James, Kincaid, Knowland, Laird, Levinson, McLoughlin, Melick, Miller, Radcliff, Ray, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, and Walker—29

Senate Joint Resolution No. 2 (No. 3 on file) was ordered continued under unfinished business.

CONTEMPT PROCEEDINGS IN RE J. V. COFFEY ET AL.

The Speaker ordered the following resolution, citation, and return read:

RETURN.

OFFICE OF SERGEANT-AT-ARMS OF ASSEMBLY OF THE STATE OF CALIFORNIA,
SACRAMENTO, CAL., February 20, 1901.

To the Speaker and Assembly of the Legislature of the State of California

I, W O. Banks, Sergeant-at-Arms of the above named Assembly, do hereby certify that I received the annexed resolutions and citation for service on the 15th day of February, 1901.

That I made due and legal service thereof at the City and County of San Francisco on the 16th day of February, 1901, in manner following, that is to say·

That, at the time and place aforesaid, I personally delivered to and left with each of the persons therein named a duly certified copy of said citation and resolutions, and that at the same time and place I exhibited to each of said persons the said original citation and resolutions annexed thereto; except that as to the said Chief of Police W. P Sullivan, said service was made by exhibiting at his residence to a person of sufficient age and description, to wit: the nurse in charge of and in attendance upon the said W P. Sullivan, a duly certified copy of said citation and resolutions, and by leaving the same with said nurse. That the reason said service was so made is that said W. P. Sullivan was then, and he ever since has been, suffering from a malignant and contagious disease, and he could not be seen.

Witness my hand this 21st day of February, 1901.

W. O. BANKS, Sergeant at-Arms.
By J HOCKING, Assistant.

CITATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 15, 1901.

W. O. BANKS, *Sergeant-at-Arms of the Assembly*·

You are directed by the Speaker of the Assembly of the State of California, at the thirty-fourth session of the Legislature, to bring before the bar of the Assembly on Thursday, February 21, 1901, at the hour of twelve o'clock meridian, the following-named persons. Wm P Sullivan, Jr., Chief of Police of San Francisco; Geo. W. Wittman, Captain of Police of San Francisco, and Ed J Wren, Detective of Police of San Francisco, all of the City and County of San Francisco, State of California, and serve on each of them a duly certified copy of the resolutions attached.

By order of the Speaker of the Assembly

CLIO LLOYD, Chief Clerk.

RESOLUTION.

WHEREAS, It appears from the report of the select committee appointed to investigate certain conditions in San Francisco, and also from the statement of Joseph F. Coffey made in open Assembly this day in his statement in response to the citation of said committee, that Chief of Police Sullivan, Captain of Police Wittman, and Detective Wren, all of the San Francisco police force, did aid and abet and assist the said Coffey in the doing of the acts reported by said committee, and concerning which contempt of this Assembly is charged against said Coffey; and

WHEREAS, It is desirable that all the facts connected with the doing of said acts be in possession of the Assembly before final action be taken, to the end that justice may be done, therefore, be it

Resolved, That said Chief of Police Sullivan, and said Captain of Police Wittman, and said Detective of Police Wren be and they are each hereby cited to appear at the bar of the Assembly on Thursday, February 21, 1901, at the hour of twelve o'clock meridian of that day, then and there to show cause why they should not be punished for contempt of the Assembly; and

Be it further resolved, That a copy of this preamble and resolutions, duly certified by the Speaker and Chief Clerk, be served forthwith upon each of said persons, viz: said Sullivan, Wittman, and Wren, by the Sergeant-at-Arms of the Assembly, and

Be it further resolved, That the case of said Coffey be and the same is hereby continued until said February 21, 1901, at said hour of twelve o'clock meridian.

In answer to the foregoing citations, Capt. George W. Wittman and Ed J. Wren appeared at the bar of the Assembly.

Mr. J. V. Coffey reappeared at the same time.

William P. Sullivan, Jr., Chief of Police of San Francisco, was unable to appear, as the following communications show:

OFFICE BOARD OF POLICE COMMISSIONERS,
SAN FRANCISCO, February 18, 1901.

HON. C. W. PENDLETON, *Speaker of the Assembly of the State of California*·

SIR: I would respectfully inform you that W. P. Sullivan, Jr, Chief of Police of the City and County of San Francisco, is confined at his home with diphtheria, and that the residence is quarantined. In consequence of which, he will be unable to appear at the

bar of the Assembly on Thursday, the 21st instant, and it will probably be at least one week before he will be able to resume his duties.

Respectfully,

GEO. A. NEWHALL,
President Board of Police Commissioners.

Also:

SAN FRANCISCO, February 19, 1901

This is to certify that Col. William P. Sullivan, Jr., is under my professional care. He is suffering from an attack of diphtheria, and is confined to bed.

JOHN GALLWEY, M.D.

Mr. Webber moved that contempt proceedings against William P. Sullivan, Jr., be continued until the proceedings against J. V. Coffey, George W. Wittman, and Ed J. Wren had been disposed of.

So ordered.

STATEMENT OF CAPTAIN WITTMAN.

MR. SPEAKER—You are familiar, each of you, with the proceedings which have terminated in your being brought before the bar of the House?

CAPTAIN WITTMAN—Yes, sir; we waive the reading

MR SPEAKER—Captain Wittman, we will hear from you first

CAPTAIN WITTMAN—Well, I want to say if there was any contempt committed, it certainly wasn't contemplated or intended. The intention was to the utmost to aid the committee in the transaction of their business. I can refer you to the chairman of the committee, who sits here before me, that we extended to him every facility in conducting that investigation. We welcomed that investigation, hoped that it would be conducted fairly and impartially, and extended to them every facility for getting witnesses before the committee In this particular case it was stated to the committee that they were not obtainable That statement was made in the committee. I saw a man standing in the doorway, and called the Chief's attention to the fact, and we went over and asked him for a statement as to how it came that he got into a tan game—we being always under the impression that no white man could get admission into one of these places. He made a statement that put certain people in a rather bad light He was asked if he had any objections to putting that statement in writing, and he said he had not We told him it would be taken down in writing, and he acted freely and voluntarily in the matter. There was no duress, no threats, and he acted of his own free will. The statement was taken down, and then the question arose as to whether he would appear before the committee next day He said he would be here, and Mr Coffey was present, and he suggested that inasmuch as he had been served with a copy of the subpœna, which he had in his possession, that the name of Cram also be written in the subpœna, and that it be served on him That was done, and he appeared In the language of the street, he "gave us the double-cross" There was no intention to commit any contempt whatever—no desire. The only desire was to aid the committee, and aid this Assembly in conducting this investigation, in bringing witnesses before this committee, and to bring witnesses there. There is no desire to commit any contempt whatever As I said before, the desire was to aid this committee in making a full investigation, and bringing witnesses before this committee, which people had charged could not be obtained.

Q. You knew, of course, that the witness would have to give his testimony before this committee? A. Yes, sir.

Q. Why was it that you took down his testimony? A. Just for that reason, that we suspected there was some chicanery going on He made a statement which implicated certain people whom we thought had procured him to do this, and that it was under false pretenses. The first intent was that we should have his written statement before the committee We didn't know whether he would come or not, and we had no authority to place him under arrest. We had no subpœna, and we thought we would take his statement down in writing, and bring it up before the committee, and the statement was handed to the chairman of the committee—the statement that he made.

Q How long have you known this man? A. I have known him for some five or six years

Q. What is he—a morphine fiend? A. A morphine fiend—yes, sir. He is an habitué of the Chinese quarter

Q That is his character? A Yes, sir; that is his character. That is the reason we desired to get his statement in writing.

Q (by Mr. Carter) I noticed in the press that the police put him through a sweating process; was this before or after obtaining this statement?

MR SUTRO—The gentleman at the bar should not be called on to answer accusations of the press.

THE SPEAKER—Do you object to the question?

MR. SUTRO—I do, on the ground that it is not fair.

THE SPEAKER—Captain Wittman, have you any objection to answering this question?

CAPTAIN WITTMAN—There was no more of a sweating process than I am going through right now, sir

MR. CARTER—That is not an answer to my question My question was whether or not you had served the subpœna before you got this written statement?

CAPTAIN WITTMAN—Oh, I beg your pardon. The subpœna was served after he made the statement. The question was then whether he would appear before the committee or not, and a discussion took place between Mr Coffey and the Chief of Police Coffey suggested that he had a copy of the subpœna which was served upon him that day, and he suggested inserting his name in the subpœna and subpœnaing him. That was done.

Q (by Mr. Carter.) How long did you have it in your possession before he made a statement? A. He made it immediately.

Q. And how long did you have him in possession after he made a statement? How long did this transaction take? A. Oh, perhaps an hour. He went with us freely and voluntarily.

Q. What time of night or day was it? A. We met on the street about 11:30. He made a statement to us first on the street

Q. That day or the next? A. That night—that very night. We asked him then if he had any objections to making a written statement to that effect, and he said, "Not at all" He said, "Certainly," he would "put it down in writing." As each sentence spoken by him was taken down in longhand we said, "Is that correct?" and he said it was; and after the entire statement was produced it was all read over to him, and he was asked if the entire statement was correct, and he said "Certainly so." Then the paper was pushed over to him, and he signed it.

MR. JOHNSON—You did not examine the witness personally yourself? A. No, sir

STATEMENT OF MR. WREN.

THE SPEAKER—Have you any statement you desire to make? A. I just repeat what Captain Wittman has said.

THE SPEAKER—Are there any questions you desire to ask him, gentlemen?

MR JOHNSON—Did you read the subpœna after you had written the name Cram in the subpœna? A. I did, sir

Q. Did you read it out loud to Mr Cram? A Yes, sir.

Q Did you state to him at that time anything in regard to that subpœna? A No. I told him it was a subpœna for his appearance before the legislative committee that was meeting the following day

Q Did you notice the date of that subpœna? A Yes, sir

Q. What date was it? A. I have forgotten the exact date, but I read it for the following day.

Q. You read it as being for the following day? A Yes, sir

Q Do you know, or did you know at that time, for what day that subpœna was requested or directed Mr Coffey to appear before you? A. I did.

Q Was it for the same day that you directed writing it for Cram? A. No, sir.

Q. It was a different day? A The day following.

Q. In reading it, you read a different date, that's all? A. Yes, sir.

Q. You didn't make any personal change in it? A. No, sir.

Q. But read it a different day? A Yes, sir

Q Did you state to him that he could have counsel if he desired? A. No, sir; he did not ask for anybody.

MR WEBBER—How long have you known Cram? A. About seven or eight years.

Q What was his character? A. He is an opium fiend. A majority of the time he sleeps in the Chinese quarter.

MR. SCHLESINGER—Did you inform the chairman of the committee of the general reputation of Mr Cram? A. No, sir, I didn't talk to him.

Q You didn't inform him? A. No, sir

Q. Were they informed of his general reputation? A. Not that I know of

MR WEBBER—Did Chief Sullivan have anything to do with inserting the name of Cram in the subpœna? A. No. The suggestion came from Coffey. Coffey suggested that Cram's name be inserted in the subpœna. Neither one of us had the subpœna, and neither one of us saw it I simply glanced up from the newspaper I was reading.

MR. JOHNSON—I move that we take a recess until two o'clock P. M., and that we lay the matter over.

Motion carried.

RECESS.

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

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

CONTEMPT PROCEEDINGS IN RE J. V. COFFEY ET AL.—(RESUMED).

The following resolution was offered by Mr. Knowland:

WHEREAS, From the partial report of the select committee appointed by the Assembly to investigate certain charges affecting the Police Department of San Francisco, and from the statements of Joseph Coffey, E. J. Wren, and George W. Wittman at the bar of this House, it appears as follows:

First—That on the night of February 11, 1901, a conference was held in the office of the Chief of Police of San Francisco, at which were present William P. Sullivan, Jr., George W. Wittman, E. J. Wren, Joseph V. Coffey, and Charles Cram.

Second—That during said conference, said Coffey produced a formal copy of a subpœna, regularly issued by the said committee, and directing him to appear before said committee on said 11th day of February, and did advise that the name of said Cram be written in said process so that it should appear that said process applied to said Cram, as well as to him, said Coffey.

Third—That thereupon said Wren did write in the name of said Cram as so advised, and did affect to serve said pretended subpœna on said Cram, and did, on reading said falsified process, represent it as directing said Cram to appear before said committee on the 12th of February.

Fourth—That believing himself regularly served with a binding subpœna of said committee, by reason of the aforesaid falsification, said Cram did hold himself subject to the direction of said Wren on said 12th of February, and did appear before said committee; now, therefore, be it

Resolved, That said Coffey and said Wren are in contempt of this House, and that the Speaker of the Assembly be directed to administer to both of them a reprimand for their course in tampering with a process of this body.

SUBSTITUTE.

Mr. Brady moved the following substitute:

Resolved, That the defendants before the bar of the House be and they are hereby thanked for their services in aiding the committee of the House in its investigation concerning the Police Department of San Francisco, and that said defendants be and they are hereby discharged.

Substitute lost.

The question now being on the adoption of the resolution submitted by Mr. Knowland.

The previous question was called for by Messrs. Guilfoyle, Stewart of Amador, and Hourigan.

Roll call was demanded by Messrs. Cowan, Guilfoyle, and Hourigan.

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

AYES—Messrs. Bauer, Bennink, Berry, Brown of San Mateo, Carter, Chiles, Dunlap, Duryea, Fisk, Foster, Gans, Hanen, Hasson, Hubbard, Johnson, Knight, Knowland, Laird, Mattos, McWade, Melick, Milice, Myers, Ray, Roberts, Rutherford, Schilig, Walker, Webber, Wright, and Mr. Speaker—31.

NOES—Messrs. Atherton, Barnes, Brady, Cowan, Evatt, Feliz, Franklin, Greer, Guilfoyle, Haley, Henry, Hourigan, Irving, John, Kincaid, Levinson, Macbeth, McLoughlin, Merritt, Miller, Radcliff, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, and Treadwell—30.

MOTIONS.

Mr. Webber moved that the contempt proceedings now pending against Captain Wittman and Chief of Police William P. Sullivan be dismissed, and the defendants discharged.

Motion lost.

Mr. Brown moved that Captain Wittman be reprimanded, with Messrs. Coffey and Wren.

Mr. Mattos moved as an amendment that Captain Wittman be discharged from the custody of the House.

Mr. Hourigan demanded the previous question.

Roll call was demanded by Messrs. Johnson, Knight, and Carter.

The question being on the motion of Mr. Mattos.

At four o'clock and twenty-five minutes P. M., Mr. Guilfoyle moved that the hour of recess be extended until pending motions were dispensed with.

The roll was called, and Mr. Mattos' substitute lost by the following vote:

AYES—Messrs. Cowan, Dunlap, Duryea, Feliz, Franklin, Greer, Guilfoyle, Haley, Henry, Hourigan, Irish, James, John, Kincaid, Knight, Macbeth, Mattos, McLoughlin, Miller, Radcliff, Reeber, Roberts, Rutherford, Schlesinger, Simpson, Sutro, Treadwell, and Webber—28.

NOES—Messrs Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Fisk, Foster, Gans, Hanen, Hubbard, Johnson, Knowland, Laird, Levinson, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Savage, Schillig, Sheridan, Stewart of San Diego, Walker, Wright, and Mr. Speaker—35.

The question being on the motion of Mr. Brown.

Roll call was demanded by Messrs. Henry, Treadwell, and Hourigan.

The roll was called, and the motion carried by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Duryea, Fisk, Foster, Gans, Guilfoyle, Hanen, Hubbard, James, Johnson, John, Knowland, Laird, McWade, Melick, Milice, Myers, Ralston, Ray, Roberts, Savage, Schillig, Sheridan, Stewart of San Diego, Walker, Wright, and Mr. Speaker—36.

NOES—Messrs Cowan, Dunlap, Feliz, Franklin, Greer, Haley, Henry, Hourigan, Irish, Kincaid, Knight, Macbeth, Mattos, McLoughlin, Merritt, Miller, Radcliff, Reeber, Rutherford, Schlesinger, Sutro, Treadwell, and Webber—23.

RECESS.

At four o'clock and forty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

CONTEMPT PROCEEDINGS IN RE J. V. COFFEY ET AL.

Mr. Fisk moved that further proceedings in contempt be indefinitely postponed.

So ordered.

PROTEST.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: We hereby protest against the action of the Assembly, taken at its evening session this day, in indefinitely postponing the contempt proceedings against W. P. Sullivan, George W Wittman, E. J Wren, and Joseph V Coffey. Such action was illegal and in disregard of the rules of the Assembly.

We were in attendance upon the Committee on Judiciary of the Assembly, and were necessarily absent from the session of the Assembly when such action was taken and could not verbally protest. Hence this written protest.

GROVE L. JOHNSON.
F E. DUNLAP.
HENRY E. CARTER.

Read, and ordered printed in the Journal.

REPORT OF SELECT COMMITTEE ON INVESTIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901

MR. SPEAKER: Your select committee of five, appointed pursuant to a resolution offered by Mr Fisk, and adopted by the Assembly on January 31, 1901, directing that said committee, immediately and fully, thoroughly and carefully, investigate certain charges affecting the Police Department of San Francisco, and the administration of the State's laws in the Chinese quarter of said city, beg leave to report as follows:

That said committee commenced said investigation on February 4th, at the City and County of San Francisco, and continued the same from day to day until and including the 13th day of February. Sixty-five witnesses were examined, a stenographic report of whose testimony accompanies this report, and from the evidence adduced, and proceedings had and taken, your committee finds:

I.

That James D. Phelan, as Mayor of San Francisco, and William P. Sullivan, Jr., as Chief of Police of San Francisco, did, in December, 1900, make up their minds to bring about a policy whereby violations of the State's laws against gambling and prostitution should be tolerated by the police, in San Francisco's Chinatown, and should be made a source of municipal revenue—a source estimated to yield $97,000 per annum.

II.

That James D. Phelan, as Mayor of San Francisco, did, late in December, 1900, call a meeting of the Police Commissioners, the Judges of the Police Courts, the District Attorney, the Chief of Police, and two Captains of Police (Wittman and Spillane), all of San Francisco, and did at said meeting advocate the aforesaid policy; and that at said meeting the Police Commissioners, the Chief of Police, and the Captains of Police failed to take a stand against the contemplated compounding with law-breakers.

III.

That after said meeting the Chief of Police caused to be printed legal blanks designed to be used in executing the said unlawful policy, beginning with the opening of the year 1901.

IV

That subsequently, in December, 1900, the "Examiner" of San Francisco publicly directed attention to Section 337 of the Penal Code of California, which said section made the proposed compounding felonious.

V.

That thereupon, by reason of said section of the Penal Code, and not because of the voluntary abandonment of said unlawful policy, the said James D Phelan and the said William P. Sullivan, Jr., ceased to proceed with their contemplated compounding.

VI

That thereupon said Chief of Police determined to withdraw from said Chinatown the special detail of six patrolmen and a sergeant, known as "The Chinatown Squad," which squad had for years been regarded as essential in enforcing the State's laws against gambling and prostitution in said quarter; and that on the first of January, 1901, he did withdraw said squad, giving as his reason that he wished to give the regular police a chance in order to try the experiment.

VII.

That on the day said squad was withdrawn, and long prior thereto, there were in said Chinatown about sixty fan-tan resorts, wherein the State's laws were habitually violated, most of which resorts were on the ground floor of buildings, and the precise location whereof was known to the said Police Department, and that when said special squad was so withdrawn, said Chief of Police directed the regular patrolmen of said Chinatown to oblige the law-breakers to cease on said ground floor, and to require the law-breakers to confine the forbidden gambling to upper floors (as shown by the sworn testimony of patrolmen on duty in this quarter), thus showing a direct disposition to tolerate infraction of the law, provided the infractions were committed at a given altitude.

VIII.

That said James D. Phelan, as Mayor of San Francisco, speaking under oath, acknowledged that the State's laws against gambling and prostitution are habitually and extensively violated in said Chinatown; and that similar admission has been made to your committee by said Chief of Police and by the Captain of Police in whose district said quarter lies

IX.

That the said admissions are in line with the great mass of evidence produced before your committee independently of said Police Department, which said evidence establishes conclusively that the State's laws against lottery playing, fan-tan, and similar games, and prostitution are, and for a long time have been, violated on a wholesale scale in said Chinatown.

X.

That said James D. Phelan, speaking under oath, estimated to your committee that to enforce said laws in Chinatown would require the presence there of 180 policemen; that said William P. Sullivan, Jr., speaking under oath, estimated to your committee that said enforcement would require the presence in said Chinatown of 300 to 400 policemen; and that William J. Biggy, ex-Chief of Police of said city, likewise speaking under oath, estimated to your committee that said enforcement could be obtained with 30

policemen, if earnestly directed, Mr. Biggy stating that he based this estimate on his experience in Chinatown during his incumbency.

XI.

That white men and white boys visit Chinese houses of prostitution in said Chinatown.

XII.

That white men and white boys frequent Chinese lottery dens in said Chinatown.

XIII.

That the visits of white men and white boys to said Chinese brothels and gambling resorts are and have been so open as to leave the said Police Department no reasonable excuse for its professed want of knowledge in that regard.

XIV.

That Chinese women and Chinese girls (mere infants, frequently), are bought and sold as chattels in said Chinatown, in violation of a vital principle in our national life—a condition of affairs that is a disgrace to the great State of California.

XV.

That the said Police Department has been so apathetic in putting down the horrible system of slavery existing in said Chinatown as to justify your committee in believing it criminally negligent; and that the testimony of said Chief of Police shows that during his regime said department has not in a single case taken the initiative in enforcing the laws against such infamy.

XVI.

That said Chief of Police acknowledged, under oath, to your committee, that he had never read the Penal Code it is his duty to enforce; and while your committee disavows a disposition to reflect on his reputation for honesty, it feels constrained to say that he betrayed, while testifying, a want of knowledge of the laws of this State affecting said Chinatown, and a lack of alertness in the matter of dealing with breaches of those laws, that is inexcusable.

XVII.

That for years there has been a general impression, in and out of police circles of said city, that Chinese law-breakers have corruptly purchased a measure of immunity from enforcement in said Chinatown of the State's laws against gambling, opium dens, and prostitution.

XVIII.

That, during the administration of Patrick Crowley as Chief of Police of said city (the source of this finding being the sworn testimony of said Crowley before this committee), said Crowley was offered a bribe of $6,000 by the keepers of brothels in said Chinatown for a stated sort of police protection against the State's anti-brothel laws; and that said Crowley promptly brought the matter to the attention of the Police Commission of said city.

XIX.

That, during the administation of said William P. Sullivan, Jr., as Chief of Police of said city, the Chinese agent of one of the principal Chinese gamblers of said Chinatown sent to San José for the Santa Clara business representative of said James D. Phelan; that said business representative thereupon visited San Francisco, and conferred with said Chinese agent, that said Chinese agent, during said conference, offered said business representative of said Phelan a bribe of $200 per month, and offered to pay a large sum every month to a person to be subsequently agreed upon, the stated purpose of both bribes to be a degree of immunity from police raids of gambling resorts in said Chinatown; that said business representative of said Phelan forthwith brought the felonious proposal to the attention of said Phelan; that said Phelan was informed of the name of the bribe-offerer and the character of the proposal; but the testimony of said Phelan does not disclose that he endeavored to bring the offender or his principal to justice.

XX.

That within the last two months keepers of Chinese gambling resorts in said Chinatown have said to white men that police interference with prohibited gambling was not feared, intimations being thrown out that an understanding existed between the police and the law-breakers whereby law-breaking would be tolerated by the police.

XXI.

That, while no direct evidence is before your committee showing the passage of bribe-money to the said Police Department, evidence was adduced pointing to the collection of a Chinatown corruption fund, and until there shall be a strong and decisive effort to enforce the laws of California in said Chinatown, your committee must feel that there are convincing grounds for believing that money does pass, though the evidence is not sufficiently clear to justify your committee in attempting to say to whom.

XXII.

That there has been no attempt whatever on the part of the said Police Department to enforce the provisions of Section 309 of the Penal Code, which makes it a misdemeanor for any person to keep any minor of either sex in any house of prostitution, and also that there has been an absolute disregard of, and no attempt whatever by the Police Department to enforce the provisions of Section 316 of the Penal Code, which makes it a misdemeanor for any person or persons to let any apartment or tenement, knowing that it is to be used for the purposes of assignation or prostitution It is also found that there has been an utter disregard of, and no attempt whatever to enforce the provisions of Section 326 of the Penal Code, which make it a misdemeanor for any person to let or permit any building or vessel, or any portion thereof, knowing that it is to be used for lottery purposes; and also that said Police Department has willfully failed to enforce the provisions of Section 331 of the Penal Code, which make it a misdemeanor knowingly to permit any of the games mentioned in Section 330 of said Code to be played, conducted or dealt in any house owned or rented by the accused in whole or in part.

XXIII.

That, in view of all the evidence adduced, your committee believes and concludes that the task of suppressing the slave-traffic in this State will be made less difficult if those changes be made in the laws which are proposed in the bills now before the Legislature, and known as Assembly Bill No. 768 and Assembly Bill No. 769. Therefore, your committee strongly recommends the passage of said bills

But it is the belief and conclusion of your committee that the laws of this State are adequate in the matter of the suppression of lotteries, gambling, and prostitution in said Chinatown; and in this regard attention is invited to the Code provisions hereinbefore referred to, and also to the circumstance that the laws of California contain other valuable provisions which, with vigorous effort on the part of said Police Department and the District Attorney of said San Francisco, would quickly free the commonwealth of the conditions in said Chinatown now disgracing it. Those other provisions may be summarized as follows:

1 It is well settled at law that houses of prostitution and gambling houses (especially gambling houses in which games prohibited by law are played) are public nuisances.

2 Under the Act of February 7, 1874 (Stat. 1874, p. 84), houses of ill-fame are declared to be public nuisances, and common repute is made competent evidence of the character of the houses.

3. Under the Act "authorizing and directing district attorneys to bring suits to abate public nuisances" (Stat. of 1899, p. 103), the District Attorney of San Francisco may, and when directed by the Board of Supervisors must, bring civil actions in the name of the People of the State to abate public nuisances

4. Chinese corporations affecting to be social clubs, but really carrying on gambling resorts, may be bereft of their charters and may be dissolved, by reason of their course in aid of illegal practices, the procedure in that regard being by suit prosecuted by the Attorney-General in the name of the People. (See People vs. Dashaway Association, 84 Cal., 117, and Chap. V. of the Code of Civil Procedure, and especially Section 803 thereof.)

CONCLUSIONS.

Wherefore, your committee recommend:

That the Mayor, the Police Commission, and the Chief of Police of said City and County of San Francisco proceed forthwith to enforce the laws of the State of California in said Chinatown.

That the District Attorney of said City and County of San Francisco take immediate action to bring about the enforcement of the laws of California affecting existing Chinatown abuses, both by compelling action on the part of said Police Department and by instituting proceedings on his own behalf.

And that should the said Police Department or said District Attorney, or either of them, neglect to perform it, or his duty in the premises, a grand jury of said city and county proceed against the derelict public officer or officers with a view to having them removed from office

In conclusion, your committee desires to express its thanks to the press of San Francisco for valuable assistance given in ferreting out the truth touching conditions obtaining in said Chinatown; and to express its appreciation of the courtesy of the Board of Supervisors of said City and County of San Francisco, and of the Hon William P. Lawlor in placing at the service of your committee the court-room of Department Eleven of the Superior Court of said city and county Moreover, your committee wishes in an especial manner to compliment and thank the Honorable John Lackmann, Sheriff of said city and county, and his deputies, for their able and conscientious labors in the course of the investigation now concluded.

J. R. KNOWLAND, Chairman.
E. L. WEBBER.
LAWRENCE SCHILLIG.
ELI WRIGHT.
J. W. P. LAIRD.

Mr. Collins moved that the report be adopted.

Mr. Cowan moved as a substitute that the report be printed in the Journal, and made special order for Wednesday, February 27, 1901.

Substitute lost.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your select committee on investigation of San Francisco police affairs, directed by resolution of January 31, 1901, to investigate the affairs of the San Francisco police, with authority to hold such investigation in the City and County of San Francisco, having completed their labors, and presented their report, herewith present their bill of expenses incurred in said investigation, as follows:

Stenographer.

To reporting, eight days, at $10 per day, February 5th, 6th, 7th, 8th, 9th, 11th, 12th, and 13th	$80 00	
Reporting five evening sessions at $5	25 00	
Transcribing 2,444 folios of testimony at twenty cents	488 80	
Transcribing 656 folios of testimony at ten cents	65 60	
	$659 40	
Credit of salary received on Sacramento payroll	40 00	
		$619 40

Typewriting Report.

Mr. J. C. Comstock, for typewriting report of committee, one original copy, ten pages, forty folios at ten cents	$4 00	
Five carbon copies of same, 200 folios at five cents	10 00	
		14 00
Dr J. E. Gardner, Chinese interpreter, six days' attendance at $5 per day		30 00
Printing subpœnas (as per voucher attached)		2 00
Sergeant-at-Arms, serving twenty-one subpœnas		21 00

Hotel Expenses in San Francisco.

J. R. Knowland, 10 days at $5 per day	$50 00	
E. L. Webber, 10 days at $5 per day	50 00	
L. Schillig, 10 days at $5 per day	50 00	
Eli Wright, 10 days at $5 per day	50 00	
J. W. P. Laird, 10 days at $5 per day	50 00	
J. C. Bates, Jr (clerk), 10 days at $5 per day	50 00	
J. Hocking (Sergeant-at-Arms), 10 days at $5 per day	50 00	
A. D. Shaw (stenographer), 10 days at $5 per day	50 00	
		400 00
Total		$1,086 40

We ask for the adoption of the following:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of J. R. Knowland, chairman of the select committee on investigation of San Francisco police affairs, and the State Treasurer is hereby authorized and directed to pay the same, for the sum of $1,086 40, the same being for expenses incurred by said committee during the investigation of the San Francisco police, as per Assembly resolution of January 31, 1901.

KNOWLAND, Chairman.

Read, and referred to Committee on Ways and Means.

MOTION.

Mr. Treadwell moved that consideration of Assembly Bill No. 683 be postponed, and made special order for Monday, February 25, 1901.

So ordered.

At eight o'clock and thirty minutes P. M., Speaker pro tem. Ralston was called to the chair.

SPECIAL ORDER.

Assembly Bill No. 626—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Mr. Brown of San Mateo moved to amend as follows:

AMENDMENT No. 9.

Amend Section 426, line twenty-two, by inserting after the word "trust" the words "filed in the matter of the estate."

Amendment adopted.

Also:

AMENDMENT No. 10.

Amend Section 523, page 220 of the printed bill, by adding thereto the following:

"*Provided*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature, if the provisions of such laws contravene or are inconsistent with the provisions of this Act, the provisions of such laws must prevail; *and provided further*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature this Act must be construed as though it had been passed on the first day of the present session (the thirty-fourth) of the Legislature"

Amendment adopted.

Mr. Macbeth moved to amend as follows:

AMENDMENT No. 11.

Amend by inserting after the word "writ" on page thirty-five, section ninety-three, line thirty-nine, the following:

"And when a debt due under or evidenced by a judgment is attached, a copy of the writ shall also be filed with the clerk of the court wherein the judgment was rendered, and thereupon the Clerk of the Superior Court, if said judgment was rendered therein, shall enter in his register the filing of such copy, and write upon the face of such judgment, where recorded in his office, the word 'attached' When the judgment was rendered in a Justice's Court, a copy of the writ shall be filed with the justice of said court, who shall thereupon enter the fact of such filing in his docket."

Amendment adopted.

Mr. Treadwell moved that Assembly Bill No. 626 be sent to engrossment and third reading.

So ordered.

Mr. Johnson moved that Senate special file be taken up.

SENATE SPECIAL FILE.

Senate Bill No. 289—An Act to declare the Sonora and Big Meadows Wagon Road, commencing at Sonora, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

Read third time.

Mr. Miller moved that a select committee of one be appointed to amend Senate Bill No. 289 as follows:

Amend by striking out of line one, Section 1, the word "the," and inserting in lieu thereof the words "that portion of the"

Also: By striking out of lines two and three, Section 1, the words "the Foot of the Confidence Grade," and inserting in lieu thereof the words "Long Barn."

Also: Amend the title by inserting after the word "declare," in line one thereof, the following: "A part of," and by striking out of lines two and three thereof the words "the Foot of the Confidence Grade," and inserting in lieu thereof the following: "Long Barn."

Motion carried, and so ordered.

Mr. Miller was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 289—An Act to declare the Sonora and Big Meadows Wagon Road, commencing at Sonora, in Tuolumne County, and running thence across the summit of the Sierra

Nevada Mountains to Bridgeport, in Mono County, a State highway—with instructions to amend, now reports that the instructions of the Assembly have been carried out

MILLER, Committee

Report and amendments adopted.

Mr. Miller moved that a select committee of one be appointed to amend Senate Bill No. 289 as follows:

By striking out in Section 1, lines six and seven, the words "provided that no State funds shall be appropriated for the maintenance of same," and by striking out the semicolon after the word "highway" in line six thereof, and inserting in lieu thereof a period

Motion carried, and so ordered.

Mr. Miller was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your select committee of one to whom was referred Senate Bill No. 289—An Act to declare the Sonora and Big Meadows Wagon Road, commencing at Sonora, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway—with instructions to amend, now reports that the instructions of the Assembly have been carried out

MILLER, Committee

Report and amendment adopted.

Senate Bill No. 289 ordered to print and final passage.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Constitutional Amendment No. 27—A proposed amendment to Article IV of the Constitution, relative to game districts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HIGBY, Chairman.

MOTION.

Mr. Treadwell moved that the Assembly do now consider Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 13—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897

Also: Senate Bill No. 71—An Act to add a new section to the Penal Code of the State of California, to be known as Section 600*a*, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Also: Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891

Also: Substitute for Senate Bill No. 138—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Also: Senate Bill No 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Also: Senate Bill No 436—An Act to amend an Act entitled "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," approved March 9, 1897, by amend-

ing Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby.

Also: Senate Bill No 561—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

SENATE BILLS —(FIRST READING).

Senate Bill No. 13—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read first time, and referred to Committee on Irrigation.

Senate Bill No. 71—An Act to add a new section to the Penal Code of the State of California, to be known as Section 600*a*, relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 138—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read first time, and referred to Committee on Revision and Reform of Laws.

Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 436—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for the payment thereof, and the disposition of moneys raised thereby.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 561—An Act to prevent tampering with animals, and to prevent the giving or administering of poisons or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

Read first time, and referred to Committee on Agriculture.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

F. J. BRANDON, Secretary of Senate.
F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 230 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate herewith returns to your honorable body, at the request of the Assembly, for the purpose of amendment, Assembly Constitutional Amendment No. 9—To propose to the people of the State of California amending the Constitution of the State of California by amending Sections 1, 2, 3, 4, 10, 12, 14, 16, 17, 18, 21, 23, and 24 of Article VI thereof, relating to the judiciary, and establishing Courts of Appeal.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Constitutional Amendment No. 9 ordered on unfinished-business file.

Also:

SENATE CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 122—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Also: Senate Bill No. 181—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Also: Senate Bill No. 185—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Also: Concurred in Assembly Amendments Nos 2, 4, 5, and 6 to Senate Bill No. 115, and refused to concur in Assembly amendments Nos. 1 and 3 to said Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—and respectfully ask your honorable body to recede from said Assembly Amendments Nos 1 and 3 to said bill.

F. J. BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Senate Bills Nos. 185 and 115 ordered on unfinished-business file.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Dunlap, Fisk, Foster, Greer, Guilfoyle, Hanen, Hourigan, Irish, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Rutherford, Savage, Schilling, Sheridan, Stewart of San Diego, Walker, Webber, and Wright—44.

NOES—None.

Title read and approved.

Mr. Carter moved that second-reading file be taken up for consideration.

Motion lost.

Senate Bill No. 102—An Act to establish the California Polytechnic

School in the County of San Luis Obispo, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cowan, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Johnson, John, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, and Wright—51.

NOES—Mr. Melick—1.

Title read and approved.

Mr. Laird moved that when we adjourn this evening, it be until Saturday, February 23, 1901.

So ordered.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Messrs. Irish, Broughton, Mattos, Foster, Rutherford, Guilfoyle, Collins, McLoughlin, Bauer, Myers, Barnes, Webber, and Chandler until twelve o'clock M. Monday.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda—have had the same under consideration, and report the same back, with four amendments, and recommend that it do pass as amended.

McWADE, Chairman.

ON CENSUS AND APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Census and Apportionment, having had under consideration Assembly Bill No. 701—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Also: Assembly Bill No 677—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Also: Assembly Bill No. 780—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

A majority of the committee respectfully report a substitute bill for said bills, entitled "An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein," and recommend that the authors, respectively, of said Assembly Bills Nos. 701, 677, and 780 be permitted to withdraw the same.

CARTER, Chairman.

Assembly Bills Nos. 677, 701, and 780 withdrawn by authors.

INTRODUCTION OF BILL—(OUT OF ORDER).

By Committee on Census and Apportionment: Assembly Bill No. 825—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read first time, "rush" order to print, and ordered on file for second reading.

MOTION.

Mr. Melick moved a reconsideration of the motion whereby the Assembly agreed to adjourn until Saturday at nine o'clock and thirty minutes A. M.

Motion lost.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 70—An Act to amend Section 600 of the Penal Code of California, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Collins, Cowan, Dunlap, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Johnson, John, Kelley, Kincaid, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Senate Bill No. 246—An Act to amend Section 638 of the Civil Code of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Bauer, Bennink, Berry, Broughton, Carter, Chiles, Clarke, Collins, Cowan, Dunlap, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Johnson, Kelley, Kincaid, Knight, Laird, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Ralston, Reeber, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Sutro, Walker, Webber, Wright, and Mr. Speaker—43

NOES—None.

Title read and approved.

Senate Bill No. 238—An Act to pay the claim of Thomas J. Walsh, for conveying the election returns of Presidential Electors to Sacramento.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 238.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Senate Bill No. 238 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 238—An Act to pay the claim of Thomas J. Walsh for conveying the election returns of Presidential Electors to Sacramento—and do now report the same, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend by striking out the word "one," in line three, Section 1, printed bill.

Amendment adopted.

Senate Bill No. 238 ordered to print and third reading.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Mr. Fisk:

ASSEMBLY CONCURRENT RESOLUTION NO. 7

Resolved by the Assembly, the Senate concurring, That a joint committee, consisting of five members of the Assembly and three members of the Senate, including the Speaker

of the Assembly and the President of the Senate, to be selected by the presiding officers of each house, be and the same is hereby appointed to attend the funeral services of the Hon. Stephen M. White, and represent the Legislature at such funeral services.

Read and adopted.

PROTEST.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: We desire to unite in the protest filed by Assemblymen Johnson, Dunlap, and Carter against the action of the Assembly in indefinitely postponing the contempt proceedings against W. P. Sullivan, George W. Wittman, E. J. Wren, and Joseph V. Coffey.

DAVID F. McWADE,
A. S. MILICE.
W. S. MELICK.

Read, and ordered printed in Journal.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Read second time.

The following committee amendment was submitted:

Strike out the words "Constable, District Attorney, or Prosecuting Attorney," in lines nine and ten of the printed bill.

Amendment adopted.

Senate Bill No. 67 ordered to print and third reading.

Senate Bill No. 186—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893.

Read second time, and ordered to third reading.

Senate Bill No. 263—An Act authorizing the Secretary of State to appoint two additional clerks in his office, in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State.

Read second time.

Mr. Cowan moved to amend Senate Bill No. 263 as follows:

AMENDMENT No. 1.

Amend the title so it will read:

"An Act to add a new section to the Political Code, to be numbered 422½, authorizing the Secretary of State to appoint two additional clerks in his office, in addition to the number now allowed by law, and fixing the compensation of such clerks."

AMENDMENT No. 2.

Amend Section 1 so it will read:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered 422½, and to read:

"422½. From the first day of May, nineteen hundred and one, to the first day of January, nineteen hundred and three, the Secretary of State is hereby authorized to appoint two additional clerks in his office, who shall be civil executive officers, said clerks to be paid the same salary as other clerks employed by the Secretary of State, and be payable at the same time and in the same manner as other State officers are paid."

Amendments adopted.

Senate Bill No. 263 ordered to print and third reading.

Senate Bill No. 205—An Act to pay the claim of Ed E. Leake against the State of California.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 205.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Senate Bill No. 205 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 205—An Act to pay the claim of Ed E. Leake against the State of California—and do now report the same back with amendments, and recommend that the same do pass as amended

RALSTON, Chairman.

Report adopted.

Mr. Johnson moved to amend Senate Bill No. 205 as follows:

Amend by striking out the word "immediately," in line one of Section 2 of the printed bill, and inserting in lieu thereof the words "January one, one thousand nine hundred and two."

Amendment adopted.

Senate Bill No. 205 ordered to print and third reading.

Senate Bill No 320—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California, entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto.

Read second time, and ordered to third reading.

Senate Bill No. 409—An Act to amend Section 963 of the Code of Civil Procedure.

Read second time, and ordered to third reading.

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

Read second time, and ordered to third reading.

Senate Bill No. 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools.

Read second time.

The following committee amendment was submitted:

Amend Senate Bill No. 112 by striking out from line two of the printed bill the words "incorporated cities and high schools."

Amendment adopted.

Senate Bill No. 112 ordered to print and third reading.

Senate Bill No. 370—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Read second time, and ordered to third reading.

Senate Bill No 339—An Act to amend Section 351 of the Civil Code of the State of California in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business.

Read second time, and ordered to third reading.

Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Read second time, and ordered to third reading.

Senate Bill No. 168—An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act.

Read second time.

The following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend by inserting in title, after the words "entitled an Act," the following: "to add a new section to the Penal Code, to be numbered 1588."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word and figure "Section 1," on page one, line twelve of printed bill, the following. "a new section is hereby added to the Penal Code, to be known and numbered as 1588, and to read as follows, viz: Section 1588."

Amendment adopted.

Senate Bill No. 168 ordered to print and third reading.

At nine o'clock and twenty minutes P. M., the Speaker resumed the chair.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Roberts: Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

Read first time, and referred to Committee on Counties and County Boundaries.

By Mr. Rutherford: Assembly Bill No. 827—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Macbeth: Assembly Bill No. 828—An Act to amend Section 1194 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Bennink: Assembly Bill No. 829—An Act to amend Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. McNeil: Assembly Bill No. 830—An Act to pay the claim of A. G. Lafferty against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901

MR SPEAKER: Your Committee on Revision and Reform of Laws, to whom was referred Committee Substitute for Senate Bill No. 138—Entitled "An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections"—have had the same under consideration, and respectfully report the same back, with the amendments hereto attached, numbered one to twelve, and recommend that the same do pass as amended.

TREADWELL, Chairman.

Read, and made special order for Monday night.

Mr. Johnson moved that Senate message be taken up.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 20, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 322—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the officers of cities of the fifth class.

F. J BRANDON, Secretary of Senate.
By FRED L. THOMAS, Assistant Secretary.

At the request of Mr. Chiles, Mr. Johnson moved that Senate Bill No. 322 be substituted for Assembly Bill No. 349, ordered on file, and made special order immediately after reading of Journal February 25, 1901.

So ordered.

Assembly Bill No. 349 withdrawn by author.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Federal Relations, to whom was referred Assembly Bill No. 585—An Act to amend Sections 2, 10, 14, and 17, and to add two new sections to be known and designated Sections 18 and 19, of an Act entitled "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," approved March 11, 1897—have had the same under consideration, and respectfully report the same back, with seventeen amendments, and recommend that it do pass as amended.

KNIGHT, Chairman.

ON FRUIT AND VINE INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR SPEAKER: Your Committee on Fruit and Vine Interests, to whom was referred Senate Bill No 407—respectfully report the same back without recommendation.

Also: Assembly Bill No. 681—respectfully report the same back, with the recommendation that it do pass as amended.

McNEIL, Chairman.

MOTION.

Mr. Stewart moved that Senate Bill No. 19 be re-referred to Committee on Agriculture.

So ordered.

RECESS.

At nine o'clock and thirty-five minutes P. M., the Assembly took a recess for fifteen minutes.

REASSEMBLED.

At nine o'clock and fifty minutes P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

MOTION.

Mr. Anderson of Solano moved that Senate message be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 16—Relative to appointment of a joint committee to attend funeral ceremonies of the late Hon. Stephen M. White—and in accordance therewith has appointed Senators Ashe, Sims, and Leavitt.

F. J BRANDON, Secretary of Senate.
By FRED L. THOMAS, Assistant Secretary.

SENATE CONCURRENT RESOLUTION No. 16.

WHEREAS, In the death of Hon. Stephen M. White, the people and the State of California have lost a wise and brave champion, who was recognized as one of the ablest statesmen that ever occupied a position in the halls of legislation, and one who always endeavored to further the interests and promote the welfare of the people of the State of California. It is appropriate that this body should signify its respect to his memory; therefore, be it

Resolved by the Senate, the Assembly concurring, That a joint committee of three members of the Senate and five members of the Assembly, including the President of the Senate and Speaker of the Assembly, be appointed by the presiding officers of the respective houses to attend the funeral ceremonies of the deceased.

Senate Concurrent Resolution No. 16 read and adopted.

The Speaker announced the appointment of the following to attend the funeral of the Hon. Stephen M. White, under provision of Senate Concurrent Resolution No. 16: Messrs. Anderson of Solano, Melick, James, Cowan, Guilfoyle, Jas. M. Meredith (Assistant Sergeant-at-Arms), and the Speaker.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned until Saturday, February 23, 1901, out of respect to the memory of the late Hon. Stephen M. White, ex-United States Senator.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, February 23, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

In the absence of the Speaker and the Speaker pro tem., and under the provisions of Rule 18, Assembly Rules, Assistant Clerk H. S. Wanzer called the Assembly to order, and asked for the nomination of a chairman.

Mr Dunlap nominated Hon. Grove L. Johnson, who was duly elected.

Mr. Wanzer appointed Messrs. Knowland, Dunlap, and Macbeth to escort Mr. Johnson to the chair.

Mr. Johnson in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Atherton, Bennink, Berry, Brown of San Mateo, Chiles, Clarke, Dunlap, Feliz, Fisk, Gans, Greer, Haley, Hanen, Henry, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Milice, Miller, Ray, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, and Walker—32.

Mr. Dunlap moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Atherton, Bennink, Berry, Brown of San Mateo, Chiles, Clarke, Dunlap, Feliz, Fisk, Gans, Greer, Haley, Hanen, Henry, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Milice, Miller, Ray, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, Walker, and Wright—34.

Mr. Dunlap moved that further proceedings under call of the House be dispensed with.

So ordered.

ADJOURNMENT.

At ten o'clock A. M., in the absence of a quorum, the Assembly adjourned until nine o'clock and thirty minutes A. M. of Monday, February 25, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, February 25, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Ralston in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving,

Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Wright—59.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Williams, Simpson, Knight, and Roberts were granted leave of absence for the day, and Mr. John until Thursday, February 28, 1901.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Hanen, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 20, 1901, was read, corrected, and approved.

SPECIAL ORDER.

Senate Bill No. 322—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to the officers of cities of the fifth class.

Read second time.

Mr. Johnson moved that Senate Bill No. 322 be made special order for Tuesday, February 26, 1901, after reading of Journal.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly reengrossed:

Assembly Bill No. 586—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.

Assembly Bill No 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law in the courts of this State

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class, and cities and counties.

Assembly Bill No 497—An Act to amend Section 1 of 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, approved March 31, 1897.

Assembly Bill No. 499—An Act to amend an Act entitled 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, approved March 31, 1897.

BERRY, Acting Chairman.

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Commissions and Public Expenditures, authorized to visit the various State hospitals in this State, having visited the State Hospital

at Ukiah, in Mendocino County, herewith present their bill of expenses for the trip, as follows:

J. A. Bliss	$41 00
F. L Stewart	41 00
M. W. Brady	41 00
D. W Hasson	41 00
Total	$164 00

And we ask the adoption of the following:

Resolved, That the State Controller is hereby directed to draw his warrant in favor of J. A. Bliss, Chairman of the Committee on Commissions and Public Expenditures, for the sum of $164, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

BLISS, Chairman.

Report and resolution adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 747—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

Also: Assembly Bill No. 366—An Act relating to estrays, providing for taking them up, and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays

Report the same back with the recommendation that they do pass.

Also: Assembly Bill No. 293—An Act to provide for the use of automatic vote registering and recording machines at all elections to be held within the State of California—report the same back without recommendation

Also: Assembly Bill No 546—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 for 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 parents to the counties from which their children are committed," approved March 26, 1895—report the same back, with three amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 396—An Act to amend Sections 541 and 542 of the Code of Civil Procedure of the State of California, relating to attachments—report the same back by a majority vote, with two amendments, and recommend that it do pass as amended.

Also: Senate Bill No 116—An Act to amend the Penal Code by adding a new section to Title VIII, Chapter X thereof, to be known as Section 258, defining and providing a penalty for the crime of slander.

Also: Senate Bill No. 231—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication, and the taking of affidavits to be used in procuring the order for publication of summons.

Report the same back, with the recommendation that they do pass.

Also: Senate Bill No. 298—An Act to amend Section 379 of the Code of Civil Procedure—report the same back with one amendment, by a majority vote, and recommend that it do pass as amended.

Also Assembly Bill No 40—An Act to remove clouds upon the title to certain lands in the State of California—report the same back with the recommendation that it do pass.

JOHNSON, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Assembly Bill No. 726—An Act to amend Section 2 of an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

C. R. STEWART, Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Assembly Constitutional Amendment No. 25—To propose to the people of the State of California an amendment to the Constitution of the State amending Section 17 of Article XX, relating to the hours of labor on public work—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

HOURIGAN, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 491—An Act to repeal an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley"—have had the same under consideration, and respectfully report the same back with two amendments, and recommend that the same do pass as amended.

MERRITT, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 708—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Assembly Bill No 709—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Assembly No. 480—An Act making an appropriation for the support and maintenance of the University of California, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Assembly Bill No. 478—An Act to repeal an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and all expenses connected therewith," which Act became a law March 7, 1899

Also: Assembly Bill No. 479—An Act to authorize and direct the transfer from the General Fund to the University Fund of the sum of $48,758, the balance remaining in the General Fund of the appropriation made by an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and of all expenses connected therewith" (which Act became a law without the Governor's approval March 7, 1899), and prescribing the duties of the Controller and Treasurer in relation thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that authors be permitted to withdraw the same

Also. Assembly Bill No. 716—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States, in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred, ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home (located at Evergreen, Santa Clara County) for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War

Also: Assembly Bill No. 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton.

Also: Senate Bill No. 371—An Act to pay the claim of Charles F. Wells 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 as amended

Also: Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Assembly Bill No 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

Also: Assembly Bill No. 687—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same

Also: Assembly Bill No 258—An Act to provide for the location, construction, and maintenance of a State highway, from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Also: Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital

Also: Assembly Bill No 603—An Act to place the Lake Tahoe State Wagon Road under the care, control, management, and supervision of the Department of Highways of the State of California, to provide for the necessary alterations and extensions of said road, and the repair and construction of the road structures thereon, and making an appropriation therefor, all of which is for the benefit of the State of California

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

Also: Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Senate Bill No 559—An Act to amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same

Also. Senate Bill No 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Senate Bill No. 690—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 fiftieth fiscal year.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also The following resolutions:

Resolved, That the controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of $34.50, in favor of H. C. Megerle, to pay for articles as per the following bill:

SACRAMENTO, CAL., January 28, 1901.

Mr. Cho Lloyd, Chief Clerk Assembly, to H. C Megerle, Dr.

Four ink pads	$4 00
Three band dating stamps	12 00
Two desk pads	2 50
Three bottles ink	75
One band dater	7 50
One bottle purple ink	75
Engraving signature	2 50
One ink pad	1 00
Ten rubber stamps, fifteen lines	7 50
One stamp box	2 50
One stamp box, movable partitions	2 50
Total	$43 50

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted for $34.50.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $350 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby authorized to pay same, being in payment of bill of Tom Scott, as per resolution of January 9, 1901.

Also

Resolved, That the sum of $40 be and the same is hereby appropriated out of the Contingent Fund of the Assembly for the payment of one half of the cost of engrossment of eight copies of Assembly Concurrent Resolution No. 1, relative to thanking the State Relief Committee for the Texas sufferers. The State Controller is hereby authorized to draw his warrant in favor of J. J Kocher for the said sum of $40, and the Treasurer is directed to pay the same.

Also:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same for the sum of thirty-six and seventy-five one hundredths dollars ($36 75) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay bill as per resolution of January 17, 1901.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his

warrant on the Contingent Fund of the Assembly for $600 in favor of A. J. Johnston, State Printer, and the State Treasurer is hereby authorized and directed to pay the same, as per resolution of February 11, 1901.

Also:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay same ($48 50), in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, to pay bill as per resolution of January 28, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted

Also: Report of select committee, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1901.

MR SPEAKER: Your special committee appointed to take charge of all arrangements for the funeral services of the late B. Collins, respectfully report back that, in conjunction with the special committee from the Senate, we took charge of and carried out all arrangements for the funeral services of said B. Collins.

That the following bills have been rendered to your committee for and on account of said funeral services; that your committee have deducted from the bill of John Breuner & Co. the sum of $25, and from the bill of Clark & Booth the sum of $29 50, and your committee therefore recommend that the sum of $54.50 be deducted from said charges as aforesaid, and that the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of L. Schillig, chairman, for the sum of $639.75 for the purpose of paying the accompanying bills incurred by said committee.

SCHILLIG, Chairman.

Also: A resolution as follows:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized and directed to pay same, in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for $1,265.85, same being for payment of bills as follows:

W. L. Reed	$20 00
Buffalo Brewing Co.	9 00
D. Johnston & Co.	6 70
D Johnston & Co.	1 40
Wm. G. Copeland	27 50
Tom Scott	25 55
Sunset Telephone and Telegraph Company	5 75
George B. Stack	11 90
George B Stack	47 70
George B Stack	37 70
F. R Pulford	38 25
John Breuner Co.	125 05
John Breuner Co.	182 00
John Breuner Co.	228 10
H S. Crocker Co.	457 35
Ahl & Daily	41 00
	$1,265 85

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

FISK, Chairman

Assembly Bills Nos. 708, 709, 480, 478, and 479 withdrawn by respective authors.

Report and resolutions read and adopted.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 23, 1901.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 642—An Act appropriating $5,000 to pay the claim of Addie McGinness—have had the same under consideration, and respectfully report the same back, and recommend that it do pass, and that the same be referred to Committee on Ways and Means, under the rules.

HENRY, Chairman

Assembly Bill No. 642 re-referred to Committee on Ways and Means.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 195—An Act to pay the claim of August Zimmerman 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, and that the same be referred to Committee on Ways and Means, under the rules.

HENRY, Chairman.

Senate Bill No. 195 re-referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 22, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 47—An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen.

Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Assembly Bill No 139—An Act to amend Section 103 of the Code of Civil Procedure.

Assembly Bill No. 187—An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for the designation of what proportion of the rates fixed is for annual reasonable expenses, and what proportion is for net annual receipts and profits.

Assembly Bill No. 271—An Act to create a firemen's relief, health, and life insurance and pension fund in the several counties, cities and counties, and cities and towns of the State

Assembly Joint Resolution No. 11—Relative to what are commonly known as and called "California War Claims"

And were presented to the Governor this day, at ten o clock and thirty-five minutes A. M.

FRANKLIN, Chairman.

ON PUBLIC PRINTING.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Assembly Bill No. 12—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

KELLEY, Chairman.

Assembly Bill No. 12 referred to Committee on Ways and Means.

INTRODUCTION AND REFERENCE OF BILLS, ETC.

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Fisk: Assembly Constitutional Amendment No. 29—To propose to the people of the State of California an amendment to the Constitution of the State amending Section 2 of Article VI of the Constitution of the State of California, relating to the Superior Court.

Referred to Committee on Judiciary.

By Mr. Milice: Assembly Bill No. 831—An Act to establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

By Mr. Stewart of San Diego: Assembly Bill No. 832—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, and Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Read first time, and referred to Committee on Irrigation.

By Mr. Bennink: Assembly Bill No. 833—An Act to amend Section 855 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 834—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 21, 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 one or more school-houses, and for 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, relating to the issuance of bonds by 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.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Johnson: Assembly Bill No. 835—An Act creating a Bureau of Building and Loan Supervision; providing for the appointment of officials therefor, to be known as the Building and Loan Commissioners; prescribing their duties, powers, and compensation; providing for a secretary, his powers and compensation; providing for the rental of offices for the use of the bureau, and for the expense thereof, and for traveling and office expenses; providing for a system for licensing building and loan associations, and for assessing and collecting the fees therefor to meet the salaries and other expenses; providing for a course of procedure for the commissioners, Attorney-General, and courts in connection with such violations of law and unsafe practices as the commissioners may find to exist; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions, and liens, pending liquidation; providing for and requiring all associations to procure licenses, pay assessments levied for expenses, and to make and file reports; providing for penalties for violations of law and orders of the commissioners by associations, the officers thereof, and others; providing for succession in office, and repealing all Acts and parts of Acts in conflict herewith.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 836—An Act to add a new section to the Political Code, to be known as Section 1292½, relating to proposed amendments to the Constitution of this State, and the canvass of votes for and against the same.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 837—An Act to provide for the sale of railroad and other franchises, and relative to granting of franchises.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright: Assembly Bill No. 838—An Act to amend Section 161 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Sheridan: Assembly Bill No. 839—An Act to provide for removing obstructions in Eel River, in Lake County, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Read first time, and referred to Committee on Fish and Game.

By Mr. Kelley: Assembly Bill No. 840—An Act to establish police courts in cities of the third class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Schlesinger: Assembly Bill No. 841—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 6, 1897.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 842—An Act to amend Section 1476 of the Penal Code of the State of California, relating to the writ of habeas corpus.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 843—An Act to amend Section 1068 of the Code of Civil Procedure of the State of California, relating to the writ of review.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 844—An Act to amend Section 1486 of the Penal Code of the State of California, relating to the writ of habeas corpus.

Read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 845—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Read first time, and referred to Committee on Municipal Corporations.

Also: Assembly Bill No. 846—An Act to amend Section 1487 of the Penal Code of the State of California, relating to the writ of habeas corpus.

Read first time, and referred to Committee on Judiciary.

By Mr. Treadwell: Assembly Bill No. 847—An Act adding a new

section to the Penal Code, to be numbered Section 653, relating to the discharge of firearms within one half mile of any State hospital for the care and treatment of the insane.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Roberts:

ASSEMBLY JOINT RESOLUTION No. 15

WHEREAS, The claims of a large number of people of the State of California on the Federal Government for indemnity for losses incurred by the depredations of the Humboldt Indians, and which are known as the "Humboldt Indian Claims," have been on file in the United States Court of Claims since said losses incurred; and

WHEREAS, The equity and justice of these claims have never been successfully disputed; and

WHEREAS, The particular claim of Mrs. Albee was selected as a test case as regards the validity of all claims; and

WHEREAS, The final award was wholly in her favor, but which award, nor any other award or money on account of these claims, has ever been paid; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and respectfully request our Representatives in Congress to use all honorable means to secure the early payment of these claims; be it further

Resolved, That the Chief Clerk is hereby directed to mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Read, and referred to Committee on Federal Relations.

By Mr. Johnson: Assembly Bill No. 848—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians, and who are not confined at State hospitals for the insane.

Read first time, and referred to Committee on Judiciary.

Mr. Bauer moved that Senate Bill No. 358 be recalled from Committee on Military Affairs, and re-referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered by Mr. Milice:

Resolved, That the Sergeant-at-Arms be authorized to have printed five hundred (500) additional copies of the Legislative Handbook, and the State Printer is hereby directed to print and bind same.

Referred to Committee on Public Printing.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901

MR. SPEAKER: Your Committee on Commerce and Navigation respectfully report that, in accordance with instructions from your honorable body, it has visited San Francisco. There is now due to the following-named persons the amounts set opposite their several names, for mileage:

F. W. Barnes	$18 00
John Butler (in lieu of G. C. Brown)	18 00
J. F. Collins	18 00
G. H. McLoughlin	18 00
G. G. Radcliff	18 00
L. F. Reeber	18 00
Frank Storer (clerk)	18 00
Total	$144 00

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of M. W. Brady for the sum of $144, and the State Treasurer is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

BRADY, Chairman.

Report and resolution adopted.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered by Mr. Clarke:

Resolved, That the Secretary of State be and he is hereby requested to furnish to all members of the Assembly asking for same one set of Reports of Constitutional Convention of 1879.

Resolution adopted.

Mr. Knight moved that second-reading file be taken up.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Mr. Myers moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 62.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 62 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Assembly Bill No 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 62 ordered to engrossment and third reading.

Mr. Knight (by permission of Mr. Johnson) moved that Assembly Bill No. 757 (343 on file) and Assembly Bill No. 469 (175 on file) be transposed on file.

So ordered.

Assembly Bill No. 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm-water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of public moneys, and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "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," approved April 1, 1897.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the whole thereof and inserting in lieu thereof the following: "An Act to amend the Political Code by amending Section 2696 thereof, and by

adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways."

Amendment adopted.

AMENDMENT No. 2.

Strike out all after the enacting clause and insert in lieu thereof the following:

"SECTION 1 Section twenty-six hundred and ninety-six of the Political Code is hereby amended to read as follows:

"Section 2696 Whenever it shall become necessary to acquire land in order to raise the banks along any stream or remove obstructions therefrom, or widen, deepen, or straighten their channels for the purpose of protecting any road or highway, or to construct flumes, ditches, or canals, or make other improvements for the purpose of carrying off storm-waters or floods to a place of safety, the board must, by order, direct proceedings to procure land necessary for such purpose to be instituted by the District Attorney of the county, in the name of the county, under and as provided in Title VII of Part III of the Code of Civil Procedure.

"SEC 2 A new section is hereby added to the Political Code, to be numbered Section twenty-six hundred and forty-three *a*, so as to read as follows:

"2643*a* Whenever any public road or highway is in danger of being damaged by storm-waters or floods on the same, the Board of Supervisors shall adopt such measures as may be necessary to prevent such damage, and may, by ordinance, establish a district, adopt a general plan of protection from storm-waters and floods therein, and may cause a part or all of the road taxes collected in such district to be apportioned to a fund and expended for such purpose, and they may also apportion to such fund and expend for such purpose an amount not exceeding —— per centum of the General Road Fund of the county, or they may levy a special tax for such purpose not exceeding —— cents on each one hundred dollars of the taxable property in the district for such purpose, but no such special tax shall be levied upon any district until the proposition to levy the same has been submitted to the qualified electors of the district and received a majority of all the legal votes cast on said proposition."

Amendment adopted.

Assembly Bill No. 520 ordered to print, engrossment, and third reading.

Mr. Dunlap moved that Assembly Bill No. 164 (229 on file) be substituted for Assembly Bill No. 487 (198 on file).

So ordered.

Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments."

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title in printed bill by inserting after the word "government" the following: "approved April 1, 1897, relating to the compensation of county officers, and the number and compensation of their deputies."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting before Section 164, in printed bill, the following:

"SECTION 1 Section one hundred and sixty-four of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, relating to the compensation of county officers, and to the number and compensation of their deputies, is hereby amended so as to read as follows "

Amendment adopted.

AMENDMENT No 3.

Amend after the word "lists," in printed bill, line twenty-four, page two, by striking out the period and a comma in lieu thereof.

Amendment adopted.

AMENDMENT No. 4.

Amend by inserting after the word "lists," in line twenty-four, page two, printed bill, the following: "*provided*, there shall be no charge against the county for the making of said maps, plats, and said binding, except for the material furnished in the making of said maps and plats and binding of said assessment lists."

Amendment adopted.

AMENDMENT No 5.

Amend by inserting after the word "thirty," in line forty-four, page two, printed bill, the word "five."

Amendment adopted.

AMENDMENT No. 6.

Amend by inserting after the word "thirty," in line sixty-three, page three, printed bill, the word "five."

Amendment adopted.

AMENDMENT No. 7.

Amend by inserting after the word "mile," as a part thereof, in line eighty, page three, printed bill, the word "age."

Amendment adopted.

Assembly Bill No. 164 ordered to print, engrossment, and third reading.

Assembly Bill No. 442—An Act relating to the keepers of intelligence offices, and making a penalty for the violation of the provisions of this Act.

Mr Bauer moved to amend as follows:

Amend by inserting after word "furnished," in Section 1, line five of the printed bill, the following: "*provided*, that in all such cases the applicant must present a written statement from the employer that the applicant could not get the situation on the information furnished."

Amendment lost.

Assembly Bill No. 442 ordered to engrossment and third reading.

Mr. Chandler, by consent of author, moved to transpose on the file Assembly Bill No. 27 (184 on file) and Assembly Bill No. 302 (294 on file).

So ordered.

Assembly Bill No. 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said Code. relative to the plugging of water-producing wells, or holes, drilled or otherwise, made in territory producing oil, or similar carbonic substances.

Read second time.

The following committee amendments were submitted:

AMENDMENT No 1.

Strike out all after the words "An Act," in the title, and insert in lieu thereof as follows "To add a new section to the Penal Code, to be known as Section 625½, in relation to the plugging of water-producing wells made in territory producing oil

"*The People of the State of California, represented in Senate and Assembly, do enact as follows*

"SECTION 1. A new section is hereby added to the Penal Code, to be numbered 625½, and to read as follows·

"Section 625½ Any person, firm, corporation, or association, who bores, drills, or otherwise puts down, a well for the purpose of exploring for, developing or producing oil, or for any other purpose, on any lands in this State, must case off all water or water strata in said well as will readily arrest and effectively prevent the flow of water from said well from entering any oil-bearing rock, oil sand, or oil strata. In case any well is abandoned, and the casing pulled or removed therefrom, the owner, lessee, operator, or person having such well in charge shall fill such well in such manner as to effectively arrest and prevent the flow of water from said well from entering any oil sand, oil strata, or other oil formation. Any well from which water enters any oil strata, oil sand, or other oil formation, whether such well is in process of being bored or drilled, or in use, or has been abandoned, is hereby declared to be a public nuisance. The owner, lessee, or operator of any well who fails to comply with any of the provisions of this Act, or who causes, permits or suffers the said public nuisance to remain or continue, is guilty of a misdemeanor, and is punishable by imprisonment in the county jail not less than sixty days nor more than one year, or by fine of not less than five hundred dollars nor more than five thousand dollars, or by both such fine and imprisonment."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Penal Code to be numbered 625½, and to read as follows:

"625½ All owners, operators, and lessees of oil lands, claims, or wells within the State of California shall in a successful manner plug all their wells in which there is or has been any water, at a proper depth, with wood or sediment, or both, in a manner sufficient to exclude all water from the oil-bearing rock or sand, either while the well is being operated or after the same has been abandoned.

"SEC 2. Any well which allows water to enter oil-bearing rock or sand, either from above or from below such oil sand, and is not plugged in accordance with Section 1 of this Act, is hereby declared to be a public nuisance.

"SEC 3. Any person violating any of the provisions of this Act may be proceeded against by any one owning or operating oil lands or wells adjoining, or in the same neighborhood.

"Such action may be brought in any court having competent jurisdiction in the county in which said well is located, and shall upon conviction be fined for each offense not less than five hundred dollars nor more than five thousand dollars, or may be imprisoned for a period not to exceed one year, or both

"There shall, also, upon conviction had, in addition to such fine, be taxed against such party the cost of prosecution and the abating of the nuisance by the filling of the well or wells

"Such fine and costs may be collected as in other criminal cases."

Amendment lost.

Assembly Bill No. 302 ordered to print, engrossment, and third reading.

Assembly Bill No. 17—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages for personal injuries resulting in death, and interest on verdicts for such damages.

Read second time.

Mr. Schlesinger moved to amend as follows:

Amend by striking out the words from "and," in line eight of page one, down to and including the word "accordingly," in line twenty-five, page two, and inserting in lieu thereof the following: "And in such action the plaintiff, in addition to actual damages, shall be entitled to recover such other damages measured by the degree of culpability of the person liable, or of his servants or agents, *provided, however*, that the amount of damages, exclusive of interest, recovered in such action shall not be more than $10,000 If the jury in such action find for the plaintiff, it shall also find the date of death, and the clerk, in entering judgment on the verdict, shall add to the amount found by the jury as damages, interest from said date to the date of rendition of said verdict, and enter judgment accordingly."

Amendment adopted.

Also: Amend by inserting the following after the word "person," line seven, page one: "who is responsible for his conduct."

Amendment adopted.

Assembly Bill No. 17 ordered to print, engrossment, and third reading.

Assembly Bill No. 239—An Act to amend Section 376 of the Code of Civil Procedure, relating to actions for damages for injuries to minors caused by wrongful act or neglect.

Read second time.

Mr. Schlesinger moved to amend as follows:

Amend by striking out the words from the word "and," line nine, page one, down to and including the word "accordingly," line twenty-six, page two, and inserting in lieu thereof the following: "And in such action the plaintiff shall, in addition to actual damages, be entitled to recover such other damages measured by the degree of culpability of the person liable, or his servants or agents; *provided, however*, that the amount of damages, exclusive of interest, recovered in such action shall not be more than $10,000 If the jury in such action find for the plaintiff it shall also find the date of death, and the clerk, in entering judgment on the verdict, shall add to the amount found by the jury as damages, interest from said date to the date of rendition of said verdict, and enter judgment accordingly."

Amendment adopted.

Assembly Bill No. 239 ordered to print, engrossment, and third reading.

Assembly Bill No. 408—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502)—An Act to amend the Penal Code of the State of California, relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting after the word "amend," in first line of title, the following: "Sections 626, 627, and 631 of."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting after the word "California," in line one of title, the following "to add seventeen new sections to said Code, to be numbered 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 626*j*, 626*k*, 626*l*, 626*m*, 627*a*, 627*b*, 631*a*, and 631*b*, all."

Amendment adopted.

AMENDMENT No. 3.

Strike out of line six, printed bill, page one, the word "November," and insert the word "October" in lieu thereof

Amendment adopted.

AMENDMENT No. 4.

In line two, page two, printed bill, strike out the word "sixty-six *a*" and insert in lieu thereof the word "twenty-six *a*."

Amendment adopted.

By Mr. Johnson:

Amend by striking out the words "or any English or Wilson snipe," in line eleven of Section 1 of the printed bill.

Amendment adopted.

By Mr. Stewart of Amador:

Amend by striking out the word "July," in line five of Section 2, page two, and inserting the word "August."

Amendment adopted.

By Mr. Duryea:

Amend by striking out the word "October," in line three of Section 7 of printed bill, page two, and inserting in lieu thereof the word "November."

Pending consideration of this amendment, Assembly Bill No. 625 was passed, to retain its place on file.

Mr. Stewart of San Diego moved that Assembly Bill No. 189 (384 on file) be substituted for Assembly Bill No. 182 (201 on file).

So ordered.

Assembly Bill No. 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "number," in line twenty-nine of the printed bill, and insert in lieu thereof the word "majority."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "equal to one third of the registered electors thereof on," in lines thirty and thirty-one of the printed bill, and insert in lieu thereof the words "as shown by."

Amendment adopted.

Assembly Bill No. 189 ordered to print, engrossment, and third reading.

Assembly Bill No. 126—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California."

Read second time, ordered to engrossment and third reading.

Mr Johnson moved that Assembly Bill No. 311 (356 on file) be transposed on file for Assembly Bill No. 325 (214 on file).

So ordered.

Assembly Bill No. 311—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 402¾, relating to the manufacture, sale, exchange, barter, dispensing or giving away any cigarettes, cigarette paper, or cigarette wrappers within the State of California, and fixing a penalty therefor.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 596—An Act to determine and declare the true boundary line between the counties of Trinity and Mendocino, in the State of California, and determining the map and field-notes of the survey of S. H. Rice, as approved by the Surveyor-General, to be correct.

Read second time, ordered to engrossment and third reading.

Mr. Knowland asked for and was granted unanimous consent to take up Assembly Bills Nos. 768 and 769 out of order.

Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice; said section to be numbered 181.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 248—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1 by striking out the word "upon," after the word "State," in line five, and all of lines six, seven, eight, and nine, and the words "liable on such bond," and the word "further," in line ten.

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1 by striking out after the syllable "tion," in line eighteen, all that follows in lines eighteen, nineteen, and twenty to the end of the section

Amendment adopted.

AMENDMENT No. 3.

Strike out the comma after the syllable "tion," in line eighteen, and insert a period in lieu thereof.

Amendment adopted.

Assembly Bill No. 248 ordered to print, engrossment, and third reading.

Mr. Kelley moved that Assembly Bill No. 807 (372 on file), and Assembly Bill No. 217 (203 on file) be transposed on file.

So ordered.

Assembly Bill No. 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda.

Read second time.

The following amendments were submitted by the committee:

AMENDMENT No. 1.

Insert immediately after the enacting clause the following words and figures:

"SECTION 1. The number of the Judges of the Superior Court of the County of Alameda is hereby increased from four to five"

Amendment adopted.

AMENDMENT No 2

Amend by striking out the figure "1," in line one, Section 1, printed bill, and inserting in lieu thereof the figure "2"

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the figure "2," in line one, Section 2, printed bill, and inserting in lieu thereof the figure "3."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the figure "3," in line one, Section 3, printed bill, and inserting in lieu thereof the figure "4."

Amendment adopted.

Assembly Bill No. 807 ordered to print, engrossment, and third reading.

Assembly Bill No. 278—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging foreign immigration and increasing trade in the products of the State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Read second time.

The following committee amendment was submitted:

Amend by inserting the word "valuation" after the word "property."

Amendment adopted.

Assembly Bill No. 561 ordered to engrossment and third reading.

RECESS.

At twelve o'clock M., the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 289—An Act to declare a part of the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as the "Long Barn," in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Guilfoyle, Haley, Henry, Higby, Hourigan, Hubbard, Irish, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ray, Reeber, Savage, Schilling, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Wright—52.

NOES—Messrs. Anderson of Solano, Duryea, Gans, Hanen, Ralston, and Rutherford—6.

Title read and approved.

Senate Bill No. 238—An Act to pay the claim of Thomas J. Walsh for conveying the election returns of Presidential Electors to Sacramento.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Johnson, Kincaid, Knight, Laird, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Radcliff, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—59.

NOES—None.

Title read and approved.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions.

Mr. Kincaid moved that a select committee of one be appointed to amend Senate Bill No. 144 as follows:

Amend by striking out Sections 16, 17, 18, 19, 20, 21, 22, and 23 of the printed bill.

Motion lost.

Mr. Chandler moved that a select committee of one be appointed to amend Senate Bill No. 144 as follows:

In line two, Section 2751, page three of printed bill, strike out the word "resident," and insert the words "land owners."

Mr. Mattos submitted the following substitute:

That a select committee of one be appointed to amend Senate Bill No. 144 as follows:

Amend by striking out the word "residents," in line two, page three, Section 2751, and inserting "resident freeholders"

Substitute adopted.

Mr. Chandler withdrew his motion.

Motion of Mr. Mattos carried, and so ordered.

Mr. Mattos was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MATTOS, Committee.

Report and amendment adopted.

Senate Bill No. 144 ordered to print and third reading.

MOTION.

Mr. Johnson moved that Hon. Henry C. Dibble, ex-member of the Legislature, be invited to the privileges of the House during his visit in Sacramento.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 186—An Act to amend an Act entitled "An Act to establish a Board of Parole Commissioners for the parole of and government of paroled prisoners," approved March 23, 1893.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—55

NOES—None.

Title read and approved.

Senate Bill No. 263—An Act authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, fixing the compensation of such clerks, and repealing Section 422 of the Political Code, relating to special clerks in the office of Secretary of State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Kelley Kincaid, Knight Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Ray, Reeber, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—56.

NOES—None

Title read and approved.

Senate Bill No. 205—An Act to pay the claim of Ed E. Leake against the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Radcliff, Ray, Reeber, Rutherford, Savage,

Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Senate Bill No. 320—An Act to provide in whose name title to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ray, Reeber, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—56.
NOES—None.

Title read.

Mr. Schillig moved to amend as follows:

Amend the title by inserting in line two thereof, after the word "title," the words "shall be taken"

Amendment adopted.

Senate Bill No. 320 ordered to print.

Senate Bill No. 409—An Act to amend Section 963 of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Cromwell, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

Read third time, and passed on file.

Senate Bill No. 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Bauer, Bennink, Berry, Bliss, Broughton, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Sutro, Walker, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Senate Bill No. 370—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Dunlap, Felix, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McWade, Melick, Milice, Radcliff, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 339—An Act to amend Section 351 of the Civil Code of the State of California in reference to liens for services, by providing for a lien for laundry work done by the proprietors of laundries and persons conducting a laundry business.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cromwell, Felix, Fisk, Gans, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Miller, Reeber, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved.

Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities.

Read second time.

The following committee amendment was submitted:

Strike out, in line five, Section 2, page two, of the printed bill, the words "a majority," and insert in lieu thereof the words "two thirds"

Amendment adopted.

Senate Bill No. 121 ordered to print and third reading.

Senate Bill No. 113—An Act relative to the meeting place of high school boards within municipal corporations.

Read second time, and ordered to third reading.

Senate Bill No. 235—An Act to amend Section 833 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

Read second time, passed pending amendments, re-referred to Committee on Municipal Corporations, and to retain place on file.

NOTICE OF RECONSIDERATION.

Mr Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 112 was this day passed.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 455—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863, and to

repeal an Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

Read second time, and ordered to third reading.

RESOLUTION—(CASE OF URGENCY).

By Mr. Fisk:

Resolved, That Senate Bill No. 559 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, and the resolution adopted and Constitution suspended by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, James, Kelley, Kincaid, Knight, Knowland, Laird, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—55.

NOES—Mr. Macbeth—1.

Senate Bill No. 559—An Act to amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same.

Read second time, considered engrossed, and ordered to third reading.

Senate Bill No. 559—An Act to amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Merritt, Milice, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

At three o'clock and forty-five minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

BILLS TRANSPOSED ON FILE.

Mr. Pendleton moved that Assembly Bill No. 449 (271 on file) and Assembly Bill No. 96 (195 on file) be transposed on file, and that Assembly Bill No. 449 be read second time.

So ordered.

Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens and regulating the provisions to be contained in building contracts.

Read second time, ordered engrossed and to third reading.

Mr. Pendleton moved (by permission of Mr. Kelley) that Assembly Bill No. 449 (271 on file) and Assembly Bill No. 327 (180 on file) be transposed on file.

So ordered.

REPORT OF JOINT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901

MR. SPEAKER: Your committee of the Assembly, appointed under authority of Senate Concurrent Resolution No 16, adopted on the 21st inst., to attend, in company with a like committee from the Senate, the funeral ceremonies of the late Hon Stephen M. White, held at Los Angeles on the 23d inst, respectfully report that they have performed that duty, and are entitled to mileage as follows:

C. W. Pendleton	$95 60
Alden Anderson	95 60
W. S. Melick	95 60
W. J. Guilfoyle	95 60
W S Cowan	95 60
Frank James	95 60
J. M. Meredith (Sergeant-at-Arms)	95 60

Your committee, therefore, ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of Frank James for the sum of six hundred and sixty-nine dollars and twenty cents ($669.20), and the Treasurer is hereby directed to pay the same out of said fund.

F. JAMES.
W. J. GUILFOYLE.
W. S MELICK.
A. ANDERSON.
W. F. COWAN.

Report and resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Fish and Game, pursuant to a resolution adopted February 14th, authorizing them to visit the abalone and squid industries, beg leave to report that they have visited Monterey and Santa Barbara, as directed, and herewith present their bill of expense, as follows:

Wm. Higby	$144 20
Sutro	144 20
Hasson and Evatt	144 20
Brown	144 20
McNeil	144 20
Geo H. Anderson	144 20
Williams	144 20
Lloyd, substitute for Pomeroy (clerk)	144 20

And we ask the adoption of the following resolution:

Resolved, That the Controller is hereby directed to draw his warrant on the Treasurer in favor of Wm. Higby, chairman of the Committee on Fish and Game, for the sum of $1,153.60, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

HIGBY, Chairman.

Report and resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No 230—An Act to regulate the practice of osteopathy in the State of California, and to provide for a State Board of Osteopathic Examiners, and to license osteopaths to practice in this State, and punish persons violating the provisions of this Act.

And was presented to the Governor this day at three o'clock and twenty minutes P M.

CLARKE, Acting Chairman

RESOLUTION.

By Mr. Brady:

Resolved, That E. B. Jewell be substituted as Watchman in the place of William Blakeley, to date from February 24, 1901.

Resolution adopted.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Committee on Ways and Means: Assembly Bill No. 849—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature.

Read first time, and placed on file.

By Committee on Public Printing: Assembly Bill No. 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Read first time, and placed on file.

By Mr. Kelley: Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read first time, and referred to Committee on Ways and Means.

By Mr. Henry: Assembly Bill No. 852—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Read first time, and referred to Committee on Judiciary.

By Mr. Brown of San Mateo: Assembly Bill No. 853—An Act to permit and enable the people of the State of California to express by ballot their preference of a person for the office of United States Senator at the general election in 1902.

Read first time, and referred to Committee on Judiciary.

By Mr. Feliz: Assembly Bill No. 854—An Act to amend Section 173 of "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the compensation of county and township officers.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Milice: Assembly Bill No. 855—An Act to add a new section to the Civil Code numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Read first time, and referred to Committee on Corporations.

By Mr. Savage: Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year.

Read first time, and referred to Committee on State Hospitals and Asylums.

By Mr. Rutherford: Assembly Bill No. 857—An Act to add Section 2757 to the Civil Code of the State of California.

Read first time, and referred to Committee on Judiciary.

By Mr. Collins: Assembly Bill No. 858—An Act appropriating the sum of $5,000 for concrete work, tiling, and resetting steam pipe and heaters on the second floor of the State Capitol.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 859—An Act authorizing and empowering the Board of State Capitol Commissioners to appoint six additional laborers for the Capitol grounds in addition to the number now allowed by law, and fixing the compensation of such additional employés.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 860—An Act making an appropriation of $15,000 for the opening and constructing of a bitumen street, granite curbs, and cement sidewalks through Capitol Park on Thirteenth Street, from L to N Streets.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 861—An Act making an appropriation to pay for concrete floor in basement of the State Capitol, and for ventilating said basement, and requiring that the work be done under the direction of the Secretary of State.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Also: Assembly Bill No. 862—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

By Mr. Johnson: Assembly Bill No. 863—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III, of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1879, and each and every section of said Chapter II, and to enact a new Chapter II of Title VI of Part III of said Code, and substitute the same in place of said repealed Chapter II in said Code, relating to roads and highways." approved February 28, 1883, relating to the issuance and refunding of a bonded indebtedness of the county for the construction, maintenance, and repair of roads, and the levying of taxes to pay the interest and redemption thereof.

Read first time, and referred to Committee on Judiciary.

By Mr. Broughton: Assembly Bill No. 864—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the salaries of the members of the County Board of Education.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Levinson: Assembly Bill No. 865—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Miller: Assembly Bill No. 866—An Act to prevent the sale of drugs, chemicals, or pharmaceutical preparations under one roof, known as department stores, in municipal corporations of the first class.

Read first time, and referred to Committee on Municipal Corporations.

By Mr. Knowland: Assembly Bill No. 867—An Act to amend an Act entitled "An Act to establish a uniform system of county and township

governments," approved April 1, 1897, by adding a new section thereto, to be designated as Section 214¾, creating the office of Humane Officer in counties of the third class, providing for his appointment, and fixing the term of office, duties, and compensation of such officer.

Read first time, and referred to Committee on County and Township Governments.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901

MR SPEAKER: Your Committee on Rules and Regulations report the following special rule under the provisions of Standing Rule 68:

There shall be prepared at once by the Committee on Rules and Regulations a Special Urgency File, to consist of bills to be selected in the following manner:

Each member shall present to the Committee on Rules and Regulations the number of any one particular bill which he desires to be taken up, such bill to be selected from any file, and when such list of bills shall have been completed the Committee on Rules and Regulations, in the presence of the House, shall cause the names of all the members to be placed in a hat, and they shall be drawn therefrom by chance.

The bills shall then be arranged in the order in which the names are drawn, and a Special Urgency File shall thus be made. Such file shall be considered at evening sessions, commencing on Wednesday, February 28, 1901, and shall be continued at evening sessions until all of such bills have been acted upon.

During the consideration of such Special Urgency File no bill shall be considered if objection thereto is made by at least seven members of the Assembly. But if a bill is thus objected to by seven members, the member who has placed such bill upon the file shall have the right to call up another bill in its place, under the same regulation as to objections

Debate upon bills upon such Special Urgency File shall be limited to five minutes on each bill, one half of which time shall be allowed those favoring the bill and the remainder of the time to those in opposition. During the consideration of such Special Urgency File no other business shall be in order except by unanimous consent.

DUNLAP, Chairman.

Ordered printed in Journal, and made special order immediately after reading of Journal on Tuesday, February 26, 1901.

MOTION.

Mr. James moved that Assembly Constitutional Amendment No. 9 (75 on Assembly file) be taken from the file and transmitted to the Senate.

Motion carried, and it was so ordered.

RECESS.

At four o'clock and fifteen minutes P. M., on motion of Mr. Fisk, the Assembly took a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

At eight o'clock and fifty minutes P. M., the Speaker called Mr. Fisk to the chair.

SECOND-READING FILE.

Committee Substitute for Senate Bill No. 138—An Act to revise the Code of Civil Procedure of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

That Section 26 of the bill (170 of the code) be amended by striking out from and after the word "department," in line twenty-four, to and including the word "proceeding," in line twenty-eight, and by inserting in place thereof the following: "Where the disqualification of a judge does not appear by the pleadings he may proceed with the trial of the cause unless, at least one day before the time fixed for such trial, an affidavit is served on the adverse party or his attorney and filed in court, showing such disqualification If the affidavit respects any disqualification designated in subdivisions one, two, or three of this section, affidavits may be filed at least one day thereafter, or such further time as the court may grant for filing such counter affidavits, not exceeding five days, and for such purpose the court may continue the trial. In no cause or proceeding can more than one such change of judges be had."

Amendment adopted.

AMENDMENT No. 2.

That Section 27 of the bill (198 of the code) be amended by striking from line six the words "and not exceeding sixty-five years."

Amendment adopted.

AMENDMENT No 3.

That Section 93 of said bill (542 of the code) be amended by adding thereto, immediately following line thirty-nine thereof, the following: "And when a debt due under or evidenced by a judgment is attached, a copy of the writ shall also be filed with the clerk of the court wherein the judgment was rendered, and thereupon the Clerk of the Superior Court, if said judgment was rendered therein, shall enter in his register the filing of such copy, and write upon the face of such judgment where recorded in his office the word 'attached.' When the judgment was rendered in a Justice's Court a copy of the writ shall be filed with the justice of said court, who shall thereupon enter the fact of such filing in his docket."

Amendment adopted.

AMENDMENT No. 4

Amend Section 136 of the bill (690 of the code) by striking out from line sixty-six, "twenty-five," and inserting "seventy-five."

Amendment adopted.

AMENDMENT No. 5.

Amend by inserting after "libraries," in line thirty-one, the words "including one typewriter and one safe."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 228 of the bill (1021 of the code) by striking therefrom lines thirty-four to thirty-eight, both inclusive.

Amendment adopted.

AMENDMENT No. 7.

Amend Section 235 of the bill (1034 of the code) by striking from line six the word "ten," and inserting the word "thirty."

Amendment adopted.

AMENDMENT No. 8.

That there be inserted after Section 277, and immediately preceding Section 278 of the bill, a new section numbered 277*a*, to read:

"SEC 277*a*. A new section is hereby added to said code to be numbered Section 1222, to read:

"Section 1222. If the contempt is committed in the immediate view and presence of the court, or judge at chambers, the judgment and orders of the court or judge with respect thereto are final and conclusive. In all other cases, a judgment by which any punishment is imposed for contempt may be reviewed on appeal by the Supreme Court. Such appeal must be taken within five days from the entry of the judgment, and the record therein shall consist of the notice of appeal, the judgment appealed from, and a bill of exceptions prepared and settled as provided in chapter five of title seven of part two of the Penal Code. The execution of the judgment is not stayed by the appeal, unless upon the filing of a certificate of probable cause, as provided in section twelve hundred and forty-three of the Penal Code, and the filing of an undertaking as provided in sections nine hundred and forty-one and nine hundred and forty-two of

this code. If the contempt consists in the omission to obey an order of the court requiring the appellant to perform an act which is yet in his power to perform, the execution of the judgment is not stayed by the appeal unless the appellant also files an undertaking as provided in sections nine hundred and forty-three, nine hundred and forty-four, and nine hundred and forty-five of this code. If the contempt consists in disobedience to an order of the court prohibiting the performance of an act by the appellant, the execution of the judgment is not stayed by the appeal, unless the appellant also files an undertaking, in an amount to be fixed by the court by which the order was made, to the effect that, pending the appeal, he will refrain from doing such act, and will obey the orders of the appellate court with respect thereto. The provisions of sections nine hundred and forty-seven and nine hundred and forty-eight of this code apply to such undertakings. The provisions of title nine of part two of the Penal Code, so far as the same are applicable, govern the proceedings upon such appeal, subject to the provisions of this section "

Amendment adopted.

AMENDMENT No. 9.

Amend Section 32 of said bill (274 of the code) by striking out lines nine to thirteen and a half, both inclusive, and inserting in place thereof the following: "For transcription, for one copy, twenty cents per hundred words, for two copies made at one time, fifteen cents each per hundred words; for three copies made at one time, eleven cents each per hundred words; for four copies made at one time, nine cents each per hundred words; and for five or more copies made at one time, eight cents each per hundred words."

Amendment adopted.

AMENDMENT No. 10.

Amend Section 304 of the bill (1327 of the code) by striking from line four thereof the words "without the filing of any contest."

Amendment adopted.

AMENDMENT No. 11.

Amend Section 426 of the bill (1702 of the code) by inserting after the word "trust," in line twenty-two, the words "filed in the matter of the estate."

Amendment adopted.

AMENDMENT No. 12.

Amend Section 523 of the bill by adding thereto the following: "*provided*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature, if the provisions of such laws contravene or are inconsistent with the provisions of this Act the provisions of such laws must prevail, *and provided further*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature this Act must be construed as though it had been passed on the first day of the present session (the thirty-fourth) of the Legislature."

Amendment adopted.

AMENDMENT No. 13

Amend Section 449 of the bill (1793 of the code) by striking out of line nine the word "of" next after the word "person," and inserting in place thereof the word "or."

Amendment adopted.

AMENDMENT No. 14.

Amend Section 360 of the bill (1490 of the code) by adding after the word "administration," in line four thereof, "the clerk must issue and."

Also: In same section, strike out line twenty-eight and insert in place thereof "clerk of the Superior Court of the County of ——."

Amendment adopted.

AMENDMENT No. 15

Amend Section 315 of the bill (1367 of the code) by striking out of lines five, six, and seven of the printed bill the words "or of a person who would be entitled if a resident of the State "

Amendment adopted.

AMENDMENT No. 16.

Amend Section 320 of the bill (1383 of the code) by striking out of lines seven and eight of the printed bill the words "whether the person so requesting is a resident or nonresident of the State."

Amendment adopted.

Committee Substitute for Senate Bill No. 138 ordered to print and third reading.

Assembly Bill No. 683 (Committee Substitute for Assembly Bill No. 119)—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 299 of the bill by striking from line two the word "seventeen," and inserting in place thereof the word "eighteen."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 301 of the bill, in line two, by striking out the word "fifteen," and inserting in place thereof the word "eighteen."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 109 of the bill, page forty, by striking from line twenty-two of the printed bill the words "three and one half," and inserting in place thereof the word "four."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 369 of the bill, page one hundred and fifty-five, by adding at the end thereof the following: "*provided*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature, if the provisions of such laws contravene or are inconsistent with the provisions of this Act, the provisions of such laws must prevail; *and provided further*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature this Act must be construed as though it had been passed on the first day of the present session (the thirty-fourth) of the Legislature."

Amendment adopted.

By Mr. Webber:

Amend Section 196 of the printed bill by striking out the word "thirty," in line four and one half, and inserting in lieu thereof the word "sixty."

Amendment adopted.

By Mr. Johnson:

Amend by striking out Section 23, on page eight of the printed bill

Amendment adopted.

Also:

Amend Section 163, page sixty-six of the printed bill, by striking out the word "five," in line eighteen, page sixty-six, and inserting in lieu thereof the word "ten."

Amendment adopted.

Also:

Amend by striking out Section 218, page ninety of the printed bill.

Amendment adopted.

Also:

Amend by striking out Section 219, page ninety of the printed bill.

Amendment adopted.

Also:

Amend by striking out Section 40, page thirteen of the printed bill.

Amendment adopted.

By Mr. Brown of San Mateo:

Amend by striking out all of Section 155.

Amendment adopted.

Also:

Amend Section 196, page eighty-two, printed bill, by striking out all of lines five, five and one half, six, and seven up to and including the word "directors," and substituting therefor the following: "Such withdrawals may be made at such times and under such conditions as may be provided in the by-laws, such times and conditions to be printed on all certificates of stock."

Amendment lost.

Assembly Bill No. 683 ordered to print, engrossment, and third reading.

At nine o'clock and fifteen minutes P. M., Speaker Pendleton resumed the chair.

SPECIAL ORDER SET.

Mr. Treadwell moved that Committee Substitute for Senate Bill No. 138 (3 on file), Assembly Bill No. 683 (4 on file), and Assembly Bill No. 764 (320 on file), be made special order for February 27, 1901, at seven o'clock and thirty minutes P. M.

So ordered.

MOTION.

Mr. Johnson moved that Senate messages be taken up for consideration at this time.

So ordered.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, February 25, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts

Also: Assembly Bill No. 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Also: Assembly Bill No. 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California.

Also: Assembly Bill No 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder

Also: Assembly Bill No 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 15, 52, 167, 176, 296, 297, and 427 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 146—An Act to amend Sections 974, 975, 976, 977, and 980 of the Code of Civil Procedure, relating to appeals from the Justices' and Police Courts to the Superior Court.

Also: Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property.

Also: Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General

Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also. Senate Bill No 557—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Also: Passed, as a case of urgency, Committee Substitute for Senate Bill No 592—An Act to amend an Act entitled "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, to provide for the payment of such bonds, and for proceedings to test the validity of same," approved April 1, 1897, by repealing Sections 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, and 18 thereof.

F J BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary.

SENATE BILLS—(FIRST READING).

Senate Bill No. 146—An Act to amend Sections 974, 975, 976, 977, and 980 of the Code of Civil Procedure, relating to appeals from Justices' and Police Courts to the Superior Court.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 557—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Read first time, and referred to Committee on Judiciary.

Committee Substitute for Assembly Bill No. 592—An Act to amend an Act entitled "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, to provide for the payment of such bonds, and for proceedings to test the validity of same," approved April 1, 1897, by repealing Sections 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, and 18 thereof.

Read first time, and referred to Committee on Irrigation.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, February 25, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law—and respectfully ask the concurrence of your honorable body in said Senate amendment.

Also: The Senate herewith returns to your honorable body Assembly Bill No. 191—An Act granting to the trustees of the Leland Stanford Junior University corporate

powers and privileges—with the request that the author be permitted to withdraw same, as the same subject-matter was contained in Senate Bill No 24, which passed both houses, and was approved by the Governor on the 15th day of February, 1901.

F J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

The following Senate amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the following: "January 1, 1902"

The question being, "Shall the Assembly concur in amendment as submitted by the Senate?"

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Durvea, Feliz, Fisk, Foster, Gaus, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, McWade Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schilig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutio, Treadwell, Walker, Webber, and Mr. Speaker—54.

NOES—None

Assembly Bill No. 145 ordered to print and enrollment.

Assembly Bill No. 191 withdrawn by author.

Also:

SENATE CHAMBER, SACRAMENTO, February 22, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day herewith returns to your honorable body Assembly Concurrent Resolution No. 7—Relative to arrangements for the funeral of the Hon Stephen M. White—with the request that the author be permitted to withdraw said resolution, as the same subject-matter was contained in Senate Concurrent Resolution No 16, which was adopted by both houses on February 21, 1901.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Mr. Cowan moved that Assembly Concurrent Resolution No. 7 be withdrawn.

So ordered.

Also:

SENATE CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to pass Assembly Bill No. 175—An Act to amend Section 880 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, in relation to the Marshal

Also: Assembly Bill No 303—An Act to add a new section to the Penal Code of the State of California, to be numbered 373*a*, relating to public nuisances.

Also: Refused to adopt Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to Section 8 of Article XII of the Constitution of the State of California, in relation to corporations.

Also: Concurred in Assembly amendment to Senate Bill No. 278—An Act to amend Section 278 of the Penal Code of California, relating to child-stealing.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

RESOLUTION—(CASE OF URGENCY).

By Mr. Fisk:

Resolved, That Assembly Bill No. 849 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, and the resolution adopted by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McWade, Milice, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 849—An Act making an appropriation to pay the contingent expenses of the Assembly for the thirty-fourth session of the Legislature.

Read second time.

Mr. Fisk 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. 849.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 849 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No. 849—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature—and do now report the same back, and recommend that it do pass

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 849 considered engrossed and ordered to third reading.

Assembly Bill No. 849—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McWade, Milice, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr Speaker—53.
NOES—None.

Title read and approved.

INTRODUCTION AND REFERENCE OF BILLS—(OUT OF ORDER).

The following bills were introduced, read first time, and referred to committees as follows:

By Mr. Atherton: Assembly Bill No. 868—An Act to amend Sections 2641, 2642, 2643, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known as and numbered

Sections 2646, 2646*a*, 2646*b*, 2646*c*, 2646*e*, 2646*f*, relating to abolishing the office of Road Commissioner, and creating the office of Roadmaster

Read first time, and referred to Committee on Roads and Highways.

By Mr. Savage: Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

Read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 870—An Act to amend an Act entitled 'An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the salary of the County Health Officer.

Read first time, and referred to Committee on County and Township Governments.

By Mr. Miller: Assembly Bill No. 871—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1319, providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritances would be paid if the decedent should be adjudged to have died intestate; also providing the grounds upon which and the time in which such contest may be made, providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest, also providing for the dismissal of such contest.

Read first time, and referred to Committee on Judiciary.

By Mr. Wright. Assembly Bill No. 872—An Act to amend Section 3 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 services so rendered to such municipal corporation," approved March 27, 1895.

Read first time, and referred to Committee on Municipal Corporations.

APPOINTMENT OF COMMITTEE.

The Speaker announced the appointment of the following Committee on Introduction of Bills: Messrs. Ralston, Knowland, and Cowan.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

The question being, "Shall the bill become a law despite the Governor's veto?"

The roll was called, and the following ayes and noes were recorded:

AYES—Mr. Miller—1.

NOES—Messrs. Barnes, Bauer, Bennink, Broughton, Butler, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Durvea, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, Milice, Ralston, Reeber, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—38.

ADJOURNMENT.

There being no quorum present, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, February 26, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Hubbard, Irish, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—68.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Irving, Myers, Carter, Roberts, Williams, Franklin, Anderson of Santa Clara, and Brown of San Francisco.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Rutherford, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journals of Thursday, February 21, 1901, and Saturday, February 23, 1901, were read, corrected, and approved.

SPECIAL ORDER.

Senate Bill No. 322—An Act amending Section 751 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to officers of cities of the fifth class.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Radcliff, Reeber, Rutherford, Savage, Schillig,

Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Wright—55.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Assembly Bill No. 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations.

Assembly Bill No. 442—An Act relating to the keeper of intelligence offices, and making a penalty for the violation of the provisions of this Act.

Assembly Bill No. 408—An Act entitled "An Act to prevent the sale of raw materials, and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production.

Assembly Bill No 126—An Act to amend an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893

Assembly Bill No. 311—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 402¾, relating to the manufacture, sale, exchange, barter, dispensing, or giving away any cigarettes, cigarette paper or cigarette wrappers within the State of California, and fixing a penalty therefor.

Assembly Bill No. 596—An Act to determine and declare the true boundary line between the counties of Trinity and Mendocino, in the State of California, and determining the map and field-notes of the survey of S H Rice, as approved by the Surveyor-General, to be correct.

Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice, said section to be numbered 181

Assembly Bill No. 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors.

Assembly Bill No. 278—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State

Assembly Bill No 626—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections.

Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens, and regulating the provisions to be contained in building contracts

BERRY, Acting Chairman.

The report of Committee on Rules, as printed in yesterday's Journal, was called up by Mr. Dunlap, who moved to amend the same as follows:

Strike out "Wednesday" and insert "Thursday."

Amendment adopted, and report as amended adopted.

MEMORIAL TO CONGRESS.

Speaker Pendleton announced the receipt of the following memorial, and ordered same printed in the Journal:

STATE OF MINNESOTA,
Thirty-second Session of the Legislature.

A Joint Resolution of the Senate and House of Representatives of the State of Minnesota, making application to the Congress of the United States, under Article V of the Constitution, for the submission of an amendment to said Constitution, making United States Senators elective in the several States by popular vote.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1 The Legislature of the State of Minnesota hereby makes application to the Congress, under the provisions of Article V of the Constitution of the United States,

for the calling of a convention to propose an amendment to the Constitution of the United States making United States Senators elective in the several States by direct vote of the people

SEC. 2. The Secretary of State is hereby directed to transmit copies of this application to the Senate, House of Representatives of the Congress, and copies to the members of the said Senate and House of Representatives from this State; also to transmit copies hereof to the presiding officers of each of the Legislatures now in session in the several States, requesting their coöperation.

Approved February 9, 1901.

STATE OF MINNESOTA,)
DEPARTMENT OF STATE)

I, P. E. Hanson, Secretary of State of the State of Minnesota, do hereby certify that I have compared the annexed copy with the original resolution in my office of a joint resolution of the Senate and House of Representatives of the State of Minnesota, being Senate File No 94, duly approved February 9, 1901, filed in this office February 9, 1901, and that said copy is a true and correct transcript of said resolution and of the whole thereof

In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol in Saint Paul, this thirteenth day of February, A. D. nineteen hundred and one.

[SEAL] P. E. HANSON, Secretary of State.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended

Also: Senate Bill No 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville in this State, and making an appropriation therefor

Also: Substitute for Senate Bill No 167—An Act making an appropriation for the erection in the State burial plot at Sacramento of monuments or headstones at the graves of Hon E. G. Waite, late Secretary of State; Hon. Levi Racklifte, late State Treasurer; Hon Dana Perkins, late State Librarian; Hon. Thomas A Springer, late State Printer, and Hon. Barnabas Collins, late Assemblyman from the Seventh Assembly District.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 153—An Act making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, appliances, and apparatus therefor, and paying for the other expenses incident and relating thereunto, and provide for managing the same, for the transfer of prisoners thereto, and government of the inmates thereof.

Also: Senate Bill No 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands, to purchase dairy cows for the use of said hospital.

Also: Assembly Bill No 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, 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.

Also: Assembly Bill No 65—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association, approved March 7, 1883," providing for an increase in the annual appropriation thereof and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Also: Assembly Bill No. 66—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land

located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation 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. 148—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a board of water and forest commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations.

Also: Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: To whom was referred report of select committee as follows:

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your select committee on investigation of San Francisco police affairs, directed by resolution of January 31, 1901, to investigate the affairs of the San Francisco police, with authority to hold such investigation in the City and County of San Francisco, having completed their labors, and presented their report, herewith present their bill of expenses incurred in said investigation, as follows:

Stenographer.

To reporting, eight days, at $10 per day, February 5th, 6th, 7th, 8th, 9th, 11th, 12th, and 13th	$80 00	
Reporting five evening sessions at $5	25 00	
Transcribing 2,444 folios of testimony at twenty cents	488 80	
Transcribing 656 folios of testimony at ten cents	65 60	
	$659 40	
Credit of salary received on Sacramento pay-roll	40 00	
		$619 40

Typewriting Report.

Mr. J. C. Comstock, for typewriting report of committee, one original copy, ten pages, 40 folios at ten cents	$4 00	
Five carbon copies of same, 200 folios at five cents	10 00	
		14 00
Dr. J. E. Gardner, Chinese interpreter, six days' attendance at $5 per day		30 00
Printing subpœnas (as per voucher attached)		2 00
Sergeant-at-Arms, serving twenty-one subpœnas		21 00

Hotel Expenses in San Francisco.

J. R. Knowland, 10 days at $5 per day	$50 00	
E. L. Webber, 10 days at $5 per day	50 00	
L. Schilling, 10 days at $5 per day	50 00	
Eli Wright, 10 days at $5 per day	50 00	
J. W. P. Laird, 10 days at $5 per day	50 00	
J. C. Bates, Jr. (clerk), 10 days at $5 per day	50 00	
J. Hocking (sergeant-at-arms), 10 days at $5 per day	50 00	
A. D. Shaw (stenographer), 10 days at $5 per day	50 00	
		400 00
Total		$1,086 40

We ask for the adoption of the following:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of J. R. Knowland, chairman of the select committee on investigation of San Francisco police affairs, and the State Treasurer is hereby authorized and directed to pay the same, for the sum of $1,086.40, the same being for expenses incurred by said committee during the investigation of the San Francisco police, as per Assembly resolution of January 31, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

Also: Resolution of February 15, 1901, concerning the expense bill connected with the report of the Paris Investigating Committee, have had the same under consideration, and do now report it back, with the recommendation that the following resolution be adopted:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of Assembly in favor of John A. Bliss, chairman of the Committee on Commissions and Public Expenditures, and the State Treasurer is hereby authorized and directed to pay the same, for the sum of $2,086.82, the same being for expenses incurred by said committee during the investigation of the California Commission to the Paris Exposition, as per Assembly resolution of January 22, 1901.

In recommending the adoption of this resolution we desire to state, concerning the items of expense for transcribing original and three copies of all the proceedings ($1,158), that we recommend the payment of the same for the reason that said committee, with full knowledge of the prices to be charged by said stenographer, authorized and employed said stenographer to make and furnish one original and three copies of all proceedings for the use of said committee, and said services were rendered and performed pursuant to the order of said committee.

FISK, Chairman.

Assembly Bill No. 66 withdrawn by author.

Report and resolutions adopted.

The following asked that their names be recorded as voting "no" on the resolution: Messrs. Johnson, Ralston, Milice, Mattos, Rutherford, Ray, Hanen, Sheridan, Walker, and Kincaid.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, February 14, 1901.

MR. SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School of San Diego, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RUTHERFORD, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over twenty thousand, wherein official matrons or their duties are not now provided for by law, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron—have had the same under consideration, and respectfully report the same back with the recommendation that the same do pass.

Also: Senate Bill No 235—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder—have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

Also: Senate Bill No 436—An Act to amend an Act entitled "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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby—have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

Also: Senate Bill No 46—An Act to amend the Code of Civil Procedure of this State by adding one new section thereto, to be numbered Section 1975, relating to the proof of proceedings of municipal corporations—have had the same under consideration, and respectfully report the same back with the recommendation that it do pass.

Also: Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds and their eggs and nests—respectfully report the same back with the recommendation that it be referred to Committee on Fish and Game.

Also: Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein, the issue and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891—respectfully report the same back with the recommendation that it be referred to Committee on County and Township Governments.

SAVAGE, Chairman.

Assembly Bill No. 114 re-referred to Committee on Fish and Game.

Senate Bill No. 120 re-referred to Committee on County and Township Governments.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 663—An Act to provide for the incorporation of mutual fire insurance companies, and define their powers and duties.

Also: Assembly Bill No. 792—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof, as are in conflict herewith," approved March 20, 1891, as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

BROUGHTON, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 358—An Act making an appropriation for a State prize, or trophy, to be competed for at the third National Bundes Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901—have had the same under consideration, and respectfully report the same back, and recommend that it be referred to Committee on Ways and Means.

BENNINK, Chairman.

Assembly Bill No. 358 re-referred to Committee on Ways and Means.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 789—An Act amending Section 2257 of the Political Code, relating to the name and purpose of the deaf, dumb, and blind asylum—have had same under consideration, and respectfully report same back with amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools—report the same back, with one amendment, and recommend that it do pass as amended

Also: Assembly Bill No 128—An Act to amend Sections 1543, 1544, 1548, 1583, 1858, 1875, 1621, and 1671 of the Political Code, in relation to the manner of apportioning and disbursing school moneys, and the duties of members of boards of education and boards of trustees, county auditors, and superintendents of schools in relation thereto—have had the same under consideration, and respectfully report the same back without recommendation.

GANS, Chairman.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No 743—An Act making an appropriation to pay the claim of W. B. Fouts, for the arrest and conviction of Herman Westfall for attempted highway robbery.

Also: Assembly Bill No. 364—An Act appropriating $89 60 to reimburse Maria Willhartitz for moneys paid by her and received into the State Treasury as interest on a certain school land purchase after action begun for the foreclosure, and in ignorance thereon.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No 788—An Act appropriating money for the payment of claims against the State, arising in the County of San Bernardino, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891

Also: Assembly Bill No. 772—An Act appropriating money for the payment of claims against the State, arising in the County of San Mateo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and prescribing the duties of the State Board of Examiners in relation to payment of such claims.

Also: Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to Committee on Ways and Means.

HENRY, Chairman

Assembly Bills Nos. 364, 788, 772, and 783 referred to Committee on Ways and Means.

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule:

That at the sessions of the House to be held on Tuesday, February 26th, and Wednesday, February 27th, at seven o'clock and thirty minutes P. M., the order of business shall be the consideration of the third-reading file, and no other business shall be considered except by unanimous consent of the House; and, at the session of Wednesday, February 27th, at seven o'clock and thirty minutes P. M., the Assembly shall commence the consideration of the file where the consideration thereof was closed on Tuesday evening, February 26, 1901.

Debate on bills upon said third-reading file at said sessions shall be limited to twenty minutes on each bill, one half of which time shall be allowed those favoring the bill, and the remainder of the time to those in opposition.

DUNLAP, Chairman.

Report adopted.

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following from the Committee on State Prisons and Reformatory Institutions.

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Preston School of Industry, located at Ione, have visited the same The following members are entitled to mileage, to wit: 108 miles:

Irish, chairman	$10 80
Milice (in lieu of Savage)	10 80
Merritt	10 80
Evatt	10 80
Franklin	10 80
Schlesinger	10 80
Simpson	10 80
	$75 60

And we ask the adoption of the following resolution:

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of J. B. Irish, chairman of the Committee on State Prisons and Reformatory Institutions, for the sum of $75.60, as per foregoing statement, and the Treasurer is directed to pay the same

N. B.—Left on said trip February 16, 1901.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

Also: Assembly resolution allowing expenses to the Committee on State Prisons and Reformatory Institutions, beg leave to report as follows:

MR SPEAKER. Your Committee on State Prisons and Reformatory Institutions, to whom was granted leave of absence to visit the Folsom State Prison at Folsom, Cal., have visited the same. The following members are entitled to mileage for same, to wit: 46 miles.

Irish (chairman)	$4 60
Savage	4 60
Brown of San Mateo	4 60
Merritt	4 60
Evatt	4 60
Franklin	4 60
Schlesinger	4 60
Simpson	4 60
Total	$36 80

And we ask the adoption of the following resolution

Resolved, That the State Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly in favor of J. B. Irish, chairman of the Committee on State Prisons and Reformatory Institutions, for the sum of $36.80, as per foregoing statement, 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

EVATT, Chairman

Report and resolutions adopted.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration *Assembly Constitutional Amendment* No. 24—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 12 of Article XIII of said Constitution, so as to abolish poll-taxes in the State of California—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 798—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays

Also: Assembly Bill No. 799—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Also Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies

Also: Assembly Bill No 628—An Act to amend the Political Code of the State of California by adding a new section thereto, to be known as Section 3388, relating to the collection of license taxes.

Report the same back with the recommendation that they do pass

Also: Assembly Bill No. 664—An Act to add a new section to the Civil Code, relating to conditional sales, leases, and transfers of personal property, and to be numbered 1742—report the same back by a majority vote that it do not pass.

Also: Assembly Bill No. 665—An Act authorizing the making of official city maps for the purposes of assessment or transferring of property by descriptions as delineated on such maps, and authorizing for the purposes of such maps the resurvey and renumbering of blocks, lots, or parcels of land, and the fixing of the names of streets, avenues, lanes, courts, commons, or parks—report the same back with two amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 666—An Act to amend an Act entitled "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 purposes 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—report the same back with four amendments, and recommend that they do pass as amended.

JOHNSON, Chairman.

ON MILITARY AFFAIRS

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Military Affairs, to whom was referred Senate Bill No. 216—An Act to provide for independent and unattached companies of the National Guard of the State of California, and to provide for the manner of making allowances for the use and support of such companies—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BENNINK, Chairman

RESOLUTIONS—(OUT OF ORDER).

By Mr. Schillig:

WHEREAS, The sub-committee appointed by the Committee on Ways and Means, and authorized to visit the Whittier Reform School, having visited said institution on February 23, 1901, made their report on the bills before the committee carrying appropriations for the needs of said institution, herewith present their bill of expenses for said visit, to wit mileage as follows:

Roberts	$99 80
Carter	99 80
Schillig	99 80
	$299 40

And your said committee ask the adoption of the following resolution:

Resolved, That the State Controller be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly in favor of Lawrence Schillig, chairman of said sub-committee of the Committee on Ways and Means for the sum of $299.40, as per foregoing statement, and the State Treasurer is hereby directed to pay the same.

Read, and referred to Committee on Mileage.

By Mr. Guilfoyle (to pay mileage in contempt proceedings):

Geo. W. Wittman	$18 80
E. J. Wren	18 80
Jos. Coffey	18 80
Joseph Coffey	18 80
	$75 20

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of W. O. Banks for seventy-five and twenty one-hundredths dollars ($75 20), and the State Treasurer is hereby authorized and directed to pay the same.

Read, and referred to Committee on Ways and Means.

UNFINISHED BUSINESS.

Assembly Bill No. 81—An Act authorizing the Attorney-General to appoint a clerk in addition to the number now allowed by law, and providing for the payment of his salary for the remainder of the fifty-second fiscal year.

The question being, "Shall the bill become a law despite the Governor's veto?"

The roll was called, and the Governor's veto sustained by the following vote:

AYES—Mr. Irish—1

NOES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Broughton, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, James, Johnson, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, McNeil, McWade, Ralston, Reeber, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—47.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Bills Nos 684, 685, and 686, have had the same under consideration, and respectfully report the same back, and recommend that substitute do pass

JOHNSON, Chairman.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

Passed on file.

Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of coroners' inquests held on the body of any person confined in such prisons and schools.

Passed on file, and made special order for Tuesday, March 5, 1901.

MOTIONS.

Mr. Guilfoyle moved that the resolutions of the Committee on Contested Elections, as printed, be adopted.

Mr. Anderson moved that resolutions be referred to Committee on Ways and Means.

So ordered.

Mr. Johnson moved to take up Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No 849—An Act making an appropria-

tion to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature

Also: Senate Bill No. 270—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Also: Senate Bill No 305—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class, and cities and counties.

F. J. BRANDON, Secretary of Senate.
By F C MICHAELIS, Assistant Secretary.

Senate Bill No. 270—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Read first time, and referred to Committee on Municipal Corporations.

Senate Bill No. 305—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class, and cities and counties.

Read first time, and referred to Committee on Municipal Corporations.

At eleven o'clock and ten minutes A. M., Speaker pro tem. Ralston was called to the chair.

UNFINISHED BUSINESS—(RESUMED).

Senate Joint Resolution No. 2—Requesting the President of the United States to direct that Dr. J. J. Kinyoun, United States Quarantine Officer for San Francisco, be relieved from further service on the Pacific Coast.

Mr. Knight moved to adopt Senate Joint Resolution No. 2.

Mr. James moved that further consideration be indefinitely postponed.

The question being on the adoption of motion submitted by Mr. James.

Roll call was demanded by Messrs. Knight, Treadwell, and Ray.

The roll was called, and the motion lost by the following vote:

AYES—Messrs. Atherton, Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Haley, Hanen, Hubbard, Irish, James, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, Melick, Milice, Miller, Radcliff, Ray, Schlesinger, Sheridan, Simpson, Stewart of Amador, and Walker—33.

NOES—Messrs. Anderson of Solano, Bauer, Bennink, Bliss, Brady, Broughton, Butler, Clarke, Duryea, Evatt, Fisk, Gans, Greer, Guilfoyle, Henry, Hourigan, Johnson, Kelley, Knight, Macbeth, McWade, Merritt, Ralston, Reeber, Rutherford, Savage, Schillig, Stewart of San Diego, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—33.

RECESS.

The hour of recess having arrived, the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

Mr. Anderson of Solano asked and was granted unanimous consent to take up Senate Joint Resolution No. 2 at this time.

Mr. Anderson of Solano moved to amend Senate Joint Resolution No. 2 by substituting the following:

SENATE JOINT RESOLUTION NO. 2.

WHEREAS, There is a general belief throughout California that Dr. J. J. Kinyoun, United States Quarantine Officer at San Francisco, has been unduly officious and arbitrary in the performance of his duty, and

WHEREAS, By such conduct he has lost the confidence and esteem of the people of this State, and has become *persona non grata* to all commercial interests and the traveling public transacting business at that port, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the President of the United States be and he is hereby respectfully, but most earnestly, requested to direct that said Dr. J. J. Kinyoun, United States Quarantine Officer at San Francisco, be relieved from further service at that port as soon as said removal can be made without injury or derogation to the public quarantine service; be it further

Resolved, That the Secretary of State be and he is hereby directed to transmit by mail the above resolution to the President of the United States.

Senate Joint Resolution No. 2 read, ordered printed in Journal, and made special order for to-morrow.

SENATE SPECIAL FILE.

Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 14.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 14 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 20, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita"—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

The following committee amendment was submitted:

Amend by striking out the word "sixty," in line twenty-three, page two, printed bill, and inserting in lieu thereof the word "fifty-five."

Amendment adopted.

Senate Bill No. 14 ordered to print and third reading.

Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 165.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 165 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento—and do now report the same back without recommendation.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 165 ordered to third reading.

Senate Bill No. 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Foster, Gans, Greer, Haley, Hanen, Higby, Irish, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, McWade, Merritt, Milice, Radcliff, Ralston, Ray, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Sutro, Walker, Webber, Wright, and Mr. Speaker—49.

NOES—Messrs. Brady, Collins, Evatt, Feliz, Fisk, Guilfoyle, Irving, Laird, McLoughlin, Schlesinger, and Stewart of Amador—11.

Title read and approved.

Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 7.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 7 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of

the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation—and do now report the same back without recommendation.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 7 ordered to third reading.

Senate Bill No. 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such division.

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 of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, James, Johnson, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Miller, Ralston, Ray, Rutherford, Savage, Schillig, Sheridan, Simpson, Sutro, Treadwell, and Walker—46

NOES—Messrs. Kincaid, McLoughlin, Schlesinger, Stewart of San Diego, Stewart of Amador, Webber, and Wright—7.

Title read and approved.

Senate Bill No. 320—An Act to provide in whose name title shall be taken to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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, and the amendments thereto.

Title read and approved.

Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 16.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 16 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor—and do now report the same back, and recommend that the same do not pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 16 ordered to third reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Schlesinger spoke to a question of personal privilege *in re* "San Francisco Examiner" reports.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 403 as follows:

In lieu of figures "63" in title, insert the figures and letter "62*a*," and in lieu of figures "64" in same, insert the figures and letter "62*b*," and in lieu of the word "three," in line two of page one of printed bill, insert the word and letter "two *a*," and in lieu of the figures "63," in line three of page one of printed bill, insert the figures and letter "62*a*," and in lieu of the word "four," in line two of page two of printed bill, insert the word and letter "two *b*," and in lieu of the figures "64," in line three of page two of printed bill, insert the figures and letter "62*b*," and in lieu of the word "three," in line five of page two of the printed bill, insert the word and letter "two *a*."

Motion carried, and so ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER. Your select committee of one, to whom was referred Senate Bill No 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out

SHERIDAN, Committee.

Report and amendments adopted.

MOTION.

Mr. Hanen moved that messages from the Governor be taken up for consideration.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 26, 1901

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 63, entitled "An Act making an appropriation for the propagation of steelhead trout in Humboldt County."

I am compelled to disapprove of this measure because the appropriation, however proper, is made payable before January, 1902.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in Journal, and on unfinished-business file.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, February 26, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 163, entitled "An Act making an appropriation to pay the deficiency for transportation of insane, and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years"; and No 21, entitled "An Act to appropriate the sum of $455 38

to pay the claims and expenses of certain battalion officers, and officers and men of Companies B and D, Second Infantry Regiment, National Guard of California, for active services rendered at Colusa, California."

HENRY T. GAGE,
Governor of the State of California.

UNFINISHED BUSINESS—(RESUMED).

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

Mr. Brown of San Mateo moved that the Assembly do not recede from Assembly Amendment No. 1 to Senate Bill No. 115, as follows:

Amend Senate Bill No. 115, as follows: In lieu of Section 13 of the printed bill insert the following:

"SECTION 13 Any ordinance establishing a library adopted under the provisions of Section 1 of this Act may be repealed by the body which adopted the same upon being requested to do so by one half of the electors of such municipal corporations in the manner provided in Section 2 of this Act, and upon such repeal of such ordinance, this Act shall cease to be operative within such municipal corporation"

The roll was called, and the Assembly refused to recede by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Felız, Fisk, Foster, Guilfoyle, Haley, Hanen, Henry, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Ray, Savage, Schilling, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—None

The question now being, "Shall the Assembly recede from Assembly Amendment No. 3 to Senate Bill No. 115?"

Amend Senate Bill No 115 as follows: Strike out the word "must," in line five of Section 1, and insert in lieu thereof the word "may."

The roll was called, and the Assembly receded by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Felız, Foster, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Ray, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Webber, Williams, and Mr. Speaker—50.

NOES—None.

Mr. Brown of San Mateo moved that the Assembly appoint a committee of three, to confer with a like committee to be appointed by the Senate, as committee of conference relative to Senate Bill No. 115.

So ordered.

The Speaker appointed Messrs. Brown of San Mateo, Dunlap, and Sheridan.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have found correctly enrolled Assembly Bill No. 849—An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature—and was presented to the Governor this day, at two o'clock and fifteen minutes P. M.

CLARKE, Acting Chairman.

Mr. Duryea moved that Senate messages be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 140—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Also: Assembly Bill No. 19—An Act to appropriate $1,015 to pay the claim of Thomas D Riordan for legal services rendered and expenses incurred by him in that certain action commenced in the Superior Court of the State of California in and for the City and County of San Francisco, and which was therein entitled The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs Charles F Curry, as Secretary of State of the State of California, No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled The People of the State of California, plaintiff, and appellant, vs Charles F. Curry, as Secretary of State of the State of California, defendant and respondent and numbered San Francisco No. 2442.

Also: Amended, and passed as amended, Assembly Bill No. 35—An Act entitled "An Act to add a new section to the Penal Code, to be numbered 1588, making it unlawful for the State Board of Prison Directors or the State prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State in the manufacturing, cutting, or dressing any curbing or crosswalk material for street or sidewalk purposes, monuments, headstones, coping, posts, or steps suitable for use, or to be used in cemetery work, cut granite for building purposes, and dimension stone for cemetery or building work, except such cut and dimension stone as may be used in State prison buildings and walls, cut stone for arches in bridges and culverts for use on State highways, county or district roads"

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 140—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read first time, and referred to Committee on Revision and Reform of Laws.

Assembly Bill No. 19 ordered to enrollment.

Assembly Bill No. 35—An Act entitled "An Act to add a new section to the Penal Code, to be numbered 1588, making it unlawful for the State Board of Prison Directors or the State prison authorities at Folsom, or any other State penal institution in the State of California to engage or employ any person confined or employed in any penal institution in said State, in the manufacturing, cutting, or dressing any curbing or crosswalk material for street or sidewalk purposes, monuments, headstones, coping, posts, or steps suitable for use, or to be used in cemetery work, cut granite for building purposes, and dimension stone for cemetery or building work, except such cut and dimension stone as may be used in State prison buildings and walls, cut stone for arches in bridges and culverts for use on State highways, county or district roads."

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 35?"

SENATE AMENDMENT

Amend the title by striking out the words from and after the figures "1588," to and including the word "Act," and inserting in lieu thereof the following: "Making it unlawful for the State Board of Prison Directors or the State prison authorities at Folsom, or any other State penal institution in the State of California, to engage or employ any person confined or employed in any penal institution in said State in the manufacturing, cutting, or dressing any curbing or crosswalk material for street or sidewalk purposes, monuments headstones, coping posts, or steps suitable for use, or to be used in cemetery work, cut granite for building purposes, and dimension stone for cemetery or building work, except such cut and dimension stone as may be used in State prison buildings and walls, cut stone for arches in bridges and culverts for use on State highways, county or district roads."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Dunlap, Durvea, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Henry, Higby, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McWade, Melick, Radcliff, Ray, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 35 ordered to enrollment.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the compensation of county officers, and the number and compensation of their deputies.

Assembly Bill No. 302—An Act to add a new section to the Penal Code, to be known as Section 625½, in relation to the plugging of water-producing wells made in territory producing oil.

Assembly Bill No. 520—An Act to amend the Political Code by amending Section 2696 thereof, and by adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways.

BERRY, Acting Chairman.

ASSEMBLY SPECIAL FILE.

Assembly Constitutional Amendment No. 4—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 6 of Article IX, relating to the public school system and the support of public schools.

Read, and pending discussion Mr. Kelley moved that the Assembly take a recess until seven o'clock and thirty minutes P. M.

So ordered.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

THIRD-READING FILE.

Mr. Knowland asked for and was granted unanimous consent to take up for consideration Assembly Bills Nos. 768 and 769.

Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice, said section to be numbered 181.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Assembly Bill No. 769—An Act to amend Section 1747 of the Code

of Civil Procedure of the State of California, relating to guardians of minors.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 586—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Read third time.

Mr. Anderson of Solano moved that a select committee of one be appointed to amend Assembly Bill No. 586 as follows:

In Section 2, line one, strike out the words "any of"

Also: In line four, strike out the words "one half," and insert in lieu thereof the words "three fifths."

Also: In line five, strike out the words "qualified electors," and insert in lieu thereof the word "landowners"

Also: In line five, strike out the comma.

Also: Strike out in lines five and six all from and including the word "residents," to and including the word "county."

Also: In line forty-six, strike out the word "elector," and insert in lieu thereof the word "landowner."

Also: In line forty-nine, strike out the word "electors," and insert in lieu thereof the word "landowners"

Also: In line seventy-five, strike out the word "electors," and insert in lieu thereof the word "landowners."

Also: Strike out all after and including the word "residents," in line seventy-five, to and including the word "county," in line seventy-six."

Mr. Bennink moved that a select committee of one be appointed to amend Assembly Bill No. 586 as follows:

After the word "it," in line thirteen, Section 7, page seven of the amended bill, insert the following: "*provided, however*, that when said new county is to be formed from two or more counties, a majority vote shall be necessary from the territory of each of said counties proposed to be included in such new county."

Mr. Anderson of Solano accepted Mr. Bennink's motion, and accepted it as a part of his motion.

Roll call was demanded by Messrs. Anderson of Solano, McLoughlin, and Irish.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Brown of San Mateo, Carter, Cavagnaro, Cowan, Cromwell, Dunlap, Feliz, Hanen, Higby, Irish, Kelley, Kincaid, Knowland, Laird, Melick, Rutherford, Savage, Schlesinger, Sheridan, Stewart of Amador, Walker, Wright, and Mr. Speaker—27.

NOES—Messrs. Barnes, Berry, Brady, Broughton, Butler, Chandler, Collins, Duryea, Fisk, Foster, Gans, Guilfoyle, Haley, Hasson, Henry, Hourigan, Irving, Johnson, Knight, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Ralston, Reeber, Schillig, Simpson, Stewart of San Diego, Treadwell, Webber, and Williams—35.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending the announcement of the result, Mr. Broughton moved a call of the House.

So ordered.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—71.

Mr. James moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the bill refused passage by the following vote:

AYES—Messrs. Barnes, Berry, Brady, Butler, Chiles, Duryea, Fisk, Foster, Gans, Guilfoyle, Haley, Hasson, Henry, Hourigan, Irving, Johnson, Knight, Laird, Mattos, McNeil, McWade, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Schillig, Simpson, Stewart of San Diego, Treadwell, Webber, and Williams—33.

NOES—Messrs. Anderson of Solano, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Feliz, Greer, Hanen, Higby, Irish, James, Kelley, Kincaid, Knowland, Levinson, Macbeth, McLoughlin, Melick, Miller, Rutherford, Savage, Schlesinger, Sheridan, Stewart of Amador, Sutro, Walker, Wright, and Mr. Speaker—36.

NOTICE OF RECONSIDERATION.

Mr Broughton gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 586 (Committee Substitute for Assembly Bill No. 242) was refused passage.

THIRD-READING FILE—(RESUMED)—BILLS TRANSPOSED ON FILE.

Mr. Johnson moved (by consent of Mr. Hubbard) that Assembly Bill No. 504 (167 on file) and Assembly Bill No. 444 (111 on file) be transposed on file.

So ordered.

Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Irish, Johnson, Kincaid, Knowland, Laird, Levinson, Macbeth, Melick, Merritt, Milice, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—42.

NOES—Messrs. Brady, Butler, Fisk, Kelley, Ralston, and Williams—6.

Title read and approved.

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class, and cities and counties.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos,

McLoughlin, McNeil, Merritt, Milice, Miller, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber Williams, Wright, and Mr. Speaker—48.
NOES—None.

Title read and approved.

At eight o'clock and forty minutes P. M., the Speaker called Mr. Kelley to the chair.

Mr. Knight moved (by permission of Mr. Duryea) that Assembly Bill No. 757 (190 on file) and Assembly Bill No. 36 (113 on file) be transposed on file.

So ordered.

Assembly Bill No. 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations.

Read *third time.*

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Collins, Cowan, Cromwell, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schilling, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Mr. Dunlap moved that Assembly Bill No. 571 (153 on file) be taken up for the purpose of amendment.

So ordered.

Assembly Bill No. 571—An Act to add a new section to the Code of Civil Procedure, to be known and numbered Section 391.

Mr. Dunlap moved that a select committee of one be appointed to amend Assembly Bill No. 571, as follows:

Amend Section 1, line three, after word "action," by inserting the following: "in the name of the State"

Amend Section 1, line seven, after the word "nuisance," by inserting the following: "located or maintained upon any public park, street, highway, or other property devoted to public uses."

Motion carried, and so ordered.

Mr. Dunlap was appointed as such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 571—An Act to add a new section to the Code of Civil Procedure, to be known and numbered Section 391, with instructions to amend, do now report that the instructions of the Assembly have been carried out.

DUNLAP, Committee.

Report and amendments adopted.

Assembly Bill No. 571 ordered to print, reëngrossment, and place on file.

Assembly Bill No. 165—An Act to amend an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, by adding a new section thereto, to be known as Section 593.

Read third time, and passed on the file.

At nine o'clock and twenty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission

to practice, and the practice of attorneys and counselors-at-law in the courts of this State.

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result, Mr. James moved a call of the House.

So ordered.

The roll was called, and the following members answered to their names:

Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—66.

Mr. James moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Gans, Greer, Hanen, Hasson, Higby, Irish, James. Kincaid, Knight, Laird, Levinson. Macbeth, Mattos. McNeil, McWade, Melick, Merritt, Miller. Myers, Ralston, Ray, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Webber, Williams, and Mr Speaker—44.

NOES—Messrs. Anderson of Solano, Atherton, Bliss, Brady, Butler, Chandler, Chiles, Collins, Feliz, Guilfolye, Haley, Henry, Hourigan, Irving, Kelley, Knowland, McLoughlin, Milice, Reeber, Stewart of Amador, Treadwell, Walker, and Wright—23.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Savage gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 111 was this day passed.

THIRD-READING FILE—(RESUMED).

Mr. Miller moved that Assembly Bill No. 292 (142 on file) and Assembly Bill No. 493 (117 on file) be transposed on file.

So ordered.

Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for cost of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Simpson, Stewart of San Diego Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—60

NOES—None.

Title read and approved.

Mr. Anderson (by consent of Mr. Knowland) moved that Assembly

Bill No. 563 (162 on file) and Assembly Bill No. 499 (118 on file) be transposed on file.

So ordered.

Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Gans, Greer, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, Johnson, Kincaid, Knowland, Laird, Levinson, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897.

Mr. Stewart of San Diego moved that a select committee of one be appointed to amend Assembly Bill No. 497 as follows:

Strike out in line twenty-five, page two of printed bill as amended, the words "resident and."

Also: Strike out the word "an," in line twenty-five, and change the word "orchard" to read "orchards."

Motion carried, and it was so ordered.

Mr. Stewart of San Diego was appointed as such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 497—An Act to amend Section 1 of an Act entitled "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," approved March 31, 1897—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

C. R. STEWART, Committee.

Report and amendments adopted.

Assembly Bill No. 497 ordered to print, reëngrossment, and place on file.

Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Chandler, Dunlap, Duryea, Feliz, Gans, Greer, Gulfovle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving Johnson, Kincaid, Knowland, Laird, Levinson, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Cavagnaro, Chandler, Collins, Cromwell, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, Kincaid, Knowland, Laird, Levinson, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Webber—48.
NOES—None.

Title read and approved.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, February 27, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.
Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Quorum present.

LEAVE OF ABSENCE.

Mr. Butler was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Ralston, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, February 25, 1901, was read, corrected, and approved.

PETITIONS.

Mr. Melick presented the following petition:

To the California Legislature, in thirty-fourth session:

The following is the petition of the congregation of the Lincoln Avenue Methodist Episcopal Church of Pasadena, as expressed by a resolution adopted Sunday, February 24, 1901:

WHEREAS, There is now pending in the State Legislature an iniquitous bill, introduced by Senator Nelson, which, if enacted, would throttle local option and be a disastrous blow to temperance work; therefore, be it

Resolved, by the members of Lincoln Avenue Methodist Episcopal Church of Pasadena, That the Legislature in general, and our Senators and Assemblymen in particular, be urgently requested to defeat this Nelson bill, and also to use every effort to prevent any legislation which will give the liquor power any advantage in California, and further urge them to enact any form of law that will work greater progress in temperance and sobriety in this State.

Ordered printed in the Journal.

By Mr. Sheridan:

To the HON. T. J. SHERIDAN, *Assemblyman representing Assembly District No. 10:*

A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector. To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust We, therefore, your constituents, request that you vote against this bill to the end it may not become a law, and that you refer the same to the Assembly for its consideration

H. T. Dobbins, John B. Moore, Geo P. Ahlf, A. B Tennant, L. E. Norton, A M. Heryford, L. I. Eppersen, L. A. Eppersen, C. B Hoyt, M. L. Pryor (Colusa, California), and thirty-two others.

Also: C C. Hendricks, J. W. Dorn, R. G. Luark, C A. Patrick, F. M Snow, Geo W. Piner, Jr, C Yule, H. W. Benson, Geo. F. Colwell, D E. Sullivan (Kelseyville, California), and twenty-three others.

Also: Edgar Wooldridge, I D Hendricks, O F. Boardman, D. F. McIntire (Kelseyville, California), Wm J. Biggerstaff, Thomas Haycock, H. P. Stipp, D. H. Atherton, A M. Reynolds, G. W. Myers (Lakeport, California), and forty-seven others.

Also: B B. Cannon, Robt B. Cannon, U. A. Mahan, F. Cameron, John Reinike, T. A. Read, H Lindblom, J G. Read, N. O. Granholm, Geo. W. Kemp, Clarence Kemp, G. Farley (Middletown, California).

Ordered printed in the Journal.

By Mr. Chiles:

To the HON. J. F. CHILES, *Assemblyman representing Assembly District No. 11*

A bill was presented in the Legislature at Sacramento by Senator Nelson, of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature, each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector. To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust. We, therefore, your constituents, request that you vote against this bill to the end it may not become a law.

Y. N. Reasoner, J. H. Norton, Jos. Moore, L. S. Vertrees, J. W. Gregory, F. L Gibbs, T. F. Cranston, G. Lawson, Wm. Addison, J. R Rockhold, and twenty-five others

Also: J W. Gilliam, R. Howard, E. Windsor, W. W. Wootten, A S. Crandee, W. H. Mitchell, William Tadlock, G. W. Chapman, E. Tadlock, W. N. Abbey (Madison, California).

Also: J. W Chapman, J M. Bland, O. B. McKay, W L. Bourland, Stephen Dole, J. C. Tadlock, J B. Collett, W. T. Collett, F. L. Bourland (Winters, California).

Also: Wm. O. Gipson, A. A. Watkins, J. A. Dearing, M H. Still, C. F. Pierce, J N. Higdon, Wm Chartees, J. F. Shannon, Geo. F. Lloyd (Rumsey, California), and thirty-six others.

Ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES.

ON COMMERCE AND NAVIGATION—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR SPEAKER: The undersigned, a minority of your Committee on Commerce and Navigation, respectfully dissent from the action taken by a majority of said committee in reference to Assembly Bills Nos. 533, 534, 535, 536, and 537, and Assembly Constitutional Amendment No. 18, and respectfully recommend that the same do pass.

B. H. McNEIL.
F. W. BARNES.
J. M. KELLEY

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 450—An Act to amend an Act entitled "An Act making it unlawful to refuse admission to places of amusement"—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WEBBER, Chairman.

ON COUNTIES AND COUNTY BOUNDARIES.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou

Also: Assembly Bill No 773—An Act to change and permanently locate the boundary line between the counties of Del Norte and Siskiyou.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

CROMWELL, Chairman.

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR SPEAKER: Your Committee on Agriculture, to whom was referred Substitute for Senate Bill No. 19—A proposed Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—have had the same under consideration, and respectfully report the same back, and recommend that the same be referred to a special committee of one to amend, and that when so amended, it do pass.

C. R. STEWART, Chairman

THIRD READING OF BILL.

Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Read third time.

Mr. Stewart of San Diego moved that a select committee of one be appointed to amend Substitute for Senate Bill No. 19 as follows:

Strike out the first two words in the title of printed bill, and substitute in lieu thereof the words "An Act"

Also: Insert after the word "animals," in line three, Section 1, page one of printed bill, the words "bird guano and animal tankage."

Also: Strike out of lines eleven and twelve, Section 1, page one of printed bill, the words 'or the total phosphoric acid, if the same is wholly derived from untreated animal bones."

Also: Strike out the figures "$50 00" in line thirteen, Section 4, page two of printed bill, and insert in lieu thereof the figures "$25 00."

Also: Insert in line thirty-nine, Section 6, page four of printed bill, after the word "sold," the following: "*provided further*, that animal tankage, packing-house by-products, and bird guano, that have not been compounded or blended with materials that increase or decrease their weight or bulk, nor blended or compounded with material that increases or decreases their fertilizing properties, shall not come within the provisions of this Act"

Also. Strike out the word "one," in line two, Section 12, page five, and substitute in lieu thereof the word "two."

Motion carried, and so ordered.

Mr. Stewart of San Diego was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

C. R. STEWART, Committee

Report and amendments adopted.

Senate Bill No. 19 ordered to print and on file for passage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON AGRICULTURE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Agriculture, to whom was referred Senate Bill No. 561—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 696—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infractions thereof.

Also: Assembly Bill No. 629—A proposed Act providing for the registration of, and to regulate the sale of registered commercial fertilizers or registered materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Have had the same under consideration, and respectfully report the same back without recommendation.

C R. STEWART, Chairman

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 55—An Act to prevent fraud on creditors, and to provide for and regulate the sale, transfer, or assignment of an entire stock, or considerable portion of a stock, of goods, wares, or merchandise in a manner otherwise than the ordinary course of trade and the regular and usual method of business—report the same back with two amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 675—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3899 of the Political Code, relating to the assessment and collection of taxes—report the same back, with the recommendation that it do not pass

Also: Engrossed Committee Substitute for Senate Bills Nos. 93 to 101, inclusive—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3371, 3807, 3884, and 3889 of the Political Code of the State of California, relating to the assessment and collection of taxes—report the same back with the recommendation that it do not pass.

Also: Assembly Bill No. 178—An Act to enable steam railroads to complete their railroads, and authorizing the construction of railroads—report the same back without recommendation.

Also: Assembly Constitutional Amendment No. 14—Relative to amending the Constitution of the State by amending Section 15 of Article XX, relating to liens of mechanics, laborers, materialmen, sub-contractors, and contractors.

Also: Assembly Bill No. 824—An Act to amend Section 542 of the Code of Civil Procedure of the State of California

Report the same back with the recommendation that they do pass.

JOHNSON, Chairman.

ON REVISION AND REFORM OF LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Revision and Reform of Laws, to whom was referred Committee Substitute for Senate Bill No 140—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections—have had the same under consideration, and report the same back with eleven amendments, and recommend that the same do pass as amended.

TREADWELL, Chairman.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Committee Substitute for Senate Bill No. 592—An Act to amend an Act entitled "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 thereof for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, by repealing Sections 2, 3, 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, 17, and 18 thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Assembly Bill No. 711—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto enlarging the powers of Board of Directors of such districts—have had the same under consideration, and respectfully report the same back with four amendments, and recommend that the same do pass as amended.

MILICE, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following Senate bills:

Senate Bill No. 205—An Act to pay the claim of Ed E Leake against the State of California

Senate Bill No. 238—An Act to pay the claim of Thos J. Walsh for conveying election returns of Presidential Electors to Sacramento

Senate Bill No 263—An Act to add a new section to the Political Code, to be numbered 422½, authorizing the Secretary of State to appoint two additional clerks in his office in addition to the number now allowed by law, and fixing the compensation of such clerks

Senate Bill No 289—An Act to declare a part of the Sonora and Mono Wagon Road, commencing east of Sonora, at a point known as Long Barn, in Tuolumne County, and running thence across the summit of the Sierra Nevada Mountains to Bridgeport, in Mono County, a State highway

Also Passed Senate Bill No 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Also: Passed Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks

Also: Amended, and passed as amended. Assembly Bill No 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler, a highway robber—and respectfully ask the concurrence of your honorable body in said Senate amendment.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley for the arrest of Ygnacio Eisler, a highway robber.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out of Section 1, lines three and four, the words "the same having been approved by the State Board of Examiners"

Also. Amend by striking out of Section 2, line one, the word "immediately," and inserting the following: "January one, nineteen hundred and two"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 279 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Constitutional Amendment No. 3—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article

XIII, by adding a new section thereto, to be known as Section 1¾, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation and irrigation districts) within said State

Also: Senate Constitutional Amendment No 4—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 6 of Article IX, relating to the public school system and the support of public schools.

Also: Senate Constitutional Amendment No 6—A resolution to propose to the people of the State of California an amendment to Section 8, Article XI, of the Constitution of the State of California, relating to charters

Also: Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 8 of Article I thereof, relating to offenses.

Also: Senate Constitutional Amendment No 14—Proposing to the people of the State of California an amendment to Article II of the Constitution of the State, by adding a new section thereto, to be known as Section 6, relating to elections.

F J. BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendment No. 3—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1¾, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation, and irrigation districts) within said State.

Read, and referred to Committee on Judiciary.

Senate Constitutional Amendment No. 4—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 6 of Article IX, relating to the public school system and the support of public schools.

Read, and ordered on file for Assembly Constitutional Amendment withdrawn.

Senate Constitutional Amendment No. 6—To propose to the people of the State of California an amendment to Section 8, Article XI, of the Constitution of the State of California, relating to charters.

Read, and referred to Committee on Judiciary.

Senate Constitutional Amendment No. 13—To propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 8 of Article I thereof, relating to offenses.

Read, and referred to Committee on Judiciary.

Senate Constitutional Amendment No. 14—Proposing to the people of the State of California an amendment to Article II of the Constitution of the State by adding a new section thereto, to be known as Section 6, relating to elections.

Read, and referred to Committee on Election Laws.

INTRODUCTION OF CONCURRENT RESOLUTION.

By Mr. Anderson of Solano:

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Resolved by the Assembly, the Senate concurring, That this, the thirty-fourth session of the Legislature of the State of California, shall adjourn *sine die* on Saturday, March 9, 1901, at twelve o'clock noon.

Read, and referred to Committee on Ways and Means.

MOTIONS.

Mr. Anderson of Solano moved that all bills referred to Committee on Election Laws be reported back this day to the Assembly.

Mr. Melick moved to amend by having committee return bills to-morrow morning.

Motion, as amended, adopted.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 746—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels, or the purchase of toll roads—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

MERRITT, Chairman

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 721—An Act to regulate the business of running and conducting sleeping cars for profit over railroads within the State of California, and to provide a penalty for the violations of 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.

Also: Assembly Constitutional Amendment No 28—A resolution proposing to the people of the State of California amendments to the Constitution of the State, amending Article XX by adding thereto two new sections, to be known as Sections numbers 21 and 22, relating to a State Commission to have charge, in certain respects of railroads, transportation companies, common carriers, banks, insurance companies, water, gas, and electric light and power, telephone companies, telegraph companies, and sleeping car companies and express companies, and of certain services and commodities, howsoever supplied to the public, and regulations concerning the same, and repealing certain present constitutional provisions relative to the same subject.

Also: Assembly Bill No 623—An Act to amend Sections 1, 2, 7, and 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897, by providing for the organization and management of said companies in two or more adjoining counties in this State

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BROUGHTON, Chairman

SPECIAL FILE.

Mr. Melick moved that Assembly Constitutional Amendment No. 19 be taken up for consideration, for the purpose of amending title.

So ordered.

Assembly Constitutional Amendment No. 19—Proposing that Section 1 of Article II of the Constitution of California, relating to the rights of citizens in voting, be amended by extending the right to vote to females over the age of twenty-one years for the purpose of electing school trustees, boards of education, and other school officers, or for voting upon issuance of school bonds or the levy of school taxes when such school matters are the only matters voted upon at such elections.

Mr. Melick moved to amend as follows:

Amend by striking out of the title the words "and other school officers," and also the words "when such school matters are the only matters voted upon at such elections."

Amendment adopted.

Assembly Constitutional Amendment No. 19 ordered to print.

Senate Joint Resolution No. 2 and amendments re-referred to Committee on Federal Relations, on motion of Mr. Anderson of Solano.

Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Read second time.

Mr. Johnson 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. 472.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 472 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 472 ordered engrossed and to third reading.

Assembly Bill No. 421—An Act making an appropriation of $6,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchasing of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read second time.

Assembly Bill No. 422—An Act making an appropriation of $15,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton.

Read second time.

Assembly Bill No. 423—An Act making an appropriation of $4,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Read second time.

Assembly Bill No. 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

Read second time.

Mr. Dunlap 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. 421, 422, 423, and 41.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 421, 422, 423, and 41 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 421—An Act making an appropriation of $6,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchasing of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Assembly Bill No. 422—An Act making an appropriation of $15,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Also: Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Also: Assembly Bill No. 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley

And do now report the same back, and recommend that they do pass, except that Assembly Bill No 422 do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bills Nos. 421, 423, and 41 ordered to engrossment and third reading.

Assembly Bill No. 422—An Act making an appropriation of $15,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "hundred," in line one, Section 1, page one, printed bill, and inserting in lieu thereof the word "thousand."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "immediately," in line one, Section 3, page one, printed bill, and inserting in lieu thereof the words: "from and after January 1, 1902"

Amendment adopted.

Assembly Bill No. 422 ordered to print, engrossment, and third reading.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditures thereof.

Read second time, ordered to engrossment and third reading.

No. 3 on file was postponed until March 1, 1901.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889

Also: Senate Bill No. 473—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HOURIGAN, Chairman

SPECIAL FILE—(RESUMED).

Mr. Sutro moved that Assembly Bill No. 394 be taken up for consideration for the purpose of amending.

So ordered.

Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Read third time.

Mr. Sutro moved that a select committee of one be appointed to amend amended Assembly Bill No. 394 as follows:

In lines one and two, Section 7, strike out the words "This Act shall take effect and be in force from and after March first, nineteen hundred and one," and insert in lieu thereof the following: "This Act shall take effect immediately."

Motion carried, and so ordered.

Mr. Sutro was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SUTRO, Committee

Report and amendment adopted.

Assembly Bill No. 394 ordered to print and on file for final action.

Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor.

Read second time.

Mr. Johnson 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. 565.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 565 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "its passage," in line two, Section 4, first page, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred and two."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 4 to read as follows:
"SEC. 4. This Act shall take effect and be in force from and after the first day of January, nineteen hundred and two.

Amendment adopted.

AMENDMENT No. 3

Amend Section 1 to read as follows:
"SECTION 1. There shall be erected upon lands belonging to the State, in connection with the State Prison at Folsom, a building of sufficient capacity to accommodate the insane prisoners of the State prisons of the State who are now or may hereafter become insane while an inmate of any State prison within the State, and also all insane persons who have been convicted of a felony and confined in any of the State hospitals for the insane within the State, the same to be constructed under the direction of the Board of State Prison Directors. Upon the completion of said building all such insane prisoners now confined in the State Prison at San Quentin, and all prisoners convicted of a felony and while confined in any State prison, who may hereafter become insane while confined in any State prisons, and all insane persons who have been convicted of a felony and are now confined in any of the State hospitals for the insane within this State, shall by the proper authorities be transferred thereto."

Amendment adopted.

Assembly Bill No. 565 ordered to print, engrossment, and third reading.

Assembly Constitutional Amendment No. 19—Proposing that Section 1 of Article II of the Constitution of California, relating to the rights of citizens in voting, be amended by extending the right to vote to females over the age of twenty-one years for the purpose of electing school trustees, boards of education, and other school officers, or for voting upon issuance of school bonds or the levy of school taxes when such school matters are the only matters voted upon at such elections.

Read.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words "at all elections," in line twenty-six of the printed amendment.

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "the purpose of electing," in line twenty-six of the printed amendment.

Amendment adopted.

AMENDMENT No. 3.

Insert the word "and" after the word "trustees," in line twenty-seven of the printed amendment.

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "or other school officers," in line twenty-seven of the printed amendment.

Amendment adopted.

AMENDMENT No. 5.

Strike out the words "for voting," in line twenty-eight of the printed amendment.

Amendment adopted.

AMENDMENT No. 6.

Strike out the words "where such school matters are the only matters voted upon at such elections," in lines twenty-nine and thirty of the printed amendment.

Amendment adopted.

AMENDMENT No. 7.

After the word "taxes," in line twenty-nine, insert the words "and the Legislature shall prescribe by proper laws for the voting of said females at said elections."

Amendment adopted.

Mr. Melick moved to amend as follows:

Strike out of the title the words "and other school officers," and also the words "when such school matters are the only matters voted upon at such elections."

Amendment adopted.

Ordered to print and on file for final action.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 15—An Act providing for the sale of street railroad and other franchises in municipalities, and providing conditions for the granting of such franchises by legislative or other governing bodies, and repealing conflicting Acts.

Assembly Bill No 52—An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California.

Assembly Bill No 167—An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California

Assembly Bill No. 176—An Act to amend Section 883 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to fees of Recorder.

Assembly Bill No. 296—An Act to amend Section 1777 of the Code of Civil Procedure of the State of California

Assembly Bill No 297—An Act to amend Section 1770 of the Code of Civil Procedure of the State of California

Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code.

Assembly Bill No. 145—An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law.

And were presented to the Governor this day at ten o'clock and twenty minutes A. M., except Assembly Bill No. 15, which was presented to the Governor at four o'clock P M. on February 26, 1901.

Also: Report that the following bills have been correctly engrossed:

Assembly Bill No. 17—An Act to amend Section 377 of the Code of Civil Procedure, relating to actions for damages for personal injuries resulting in death, and interest on verdicts for such damages.

Assembly Bill No 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Assembly Bill No 239—An Act to amend Section 376 of the Code of Civil Procedure, relating to actions for damages for injuries to minors caused by wrongful act or neglect.

Assembly Bill No 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Assembly Bill No 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda.

Assembly Bill No. 248—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

FRANKLIN, Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 180—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—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 689—An Act to add a new section to the Political Code, to be known as Section 3365, relating to licenses.

Also: Assembly Bill No. 822—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 724—An Act to add a new section to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in the several counties of this State, defining the duties and powers, and fixing the term or office and compensation of, and providing for the appointment and the giving of official bond by, such matron.

Also: Assembly Bill No 263—An Act to amend Section 55 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 632—An Act to amend Section 178 of an Act to establish a uniform system of county and township governments, approved April 1, 1897.

Also: Assembly Bill No 643—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No 729—An Act to amend Section 183 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to salaries and fees of county and township officers, and providing for a deputy county clerk, deputy sheriff, and deputy assessor, and for the fees of trial jurors in criminal cases, and grand jurors.

Also: Assembly Bill No. 731—An Act to amend Section 176 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Assembly Bill No 786—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 800—An Act to amend Section 185 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 815—An Act to add a new section to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Also: Assembly Bill No. 816—An Act to amend subdivision sixteen of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relative to the powers of Boards of Supervisors.

Also: Assembly Bill No 821—An Act to amend Section 193 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No. 827—An Act to amend Section 173 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 457—An Act to amend Section 3653 of the Political Code of the State of California

Also: Assembly Bill No 765—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Assembly Bill No. 801—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Senate Bill No. 170—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.

Also: Assembly Bill No. 170—An Act to provide for the maintenance and support in certain cases of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties, or cities and counties, within the State of California and for the payment thereof into a fund for the maintenance and support of such persons

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass as amended.

McWADE, Chairman.

SPECIAL FILE—(RESUMED).

Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital;

to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

Read second time.

Mr. Hanen 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. 198.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 198 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 198 ordered to engrossment and third reading.

Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

The following committee amendment was submitted:

Amend by striking out the words "its passage," in line two, Section 5, second page, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 198 ordered to print, engrossment, and third reading.

Assembly Bill No. 690—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 fiftieth fiscal year.

Read second time.

Mr. Johnson 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. 690.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 690 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 690—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 fiftieth fiscal year—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 690 ordered to engrossment and third reading.

Assembly Constitutional Amendment No. 24—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 12 of Article XIII of said Constitution so as to abolish poll-taxes in the State of California.

Read.

The following committee amendment was submitted:

Strike out the word "inhabitant," in line nine of the printed bill, and insert in lieu thereof the words "voters or persons entitled to become voters."

Amendment adopted.

Assembly Constitutional Amendment No. 24 ordered to print and on file for final action.

THIRD-READING FILE.

Assembly Bill No. 34—An Act to amend Section 849 of the Code of Civil Procedure, relating to service of summons in Justice Court actions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—54.

NOES—Mr. Myers—1.

Title read and approved.

Assembly Bill No. 33—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, by adding thereto a new section, to be known as Section 2022, authorizing the taking of a deposition where the adverse party has not appeared, and providing the proceeding.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Roberts, Rutherford Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Foster, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, Johnson, Kincaid, Knight, Knowland,

Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR SPEAKER. Your Committee on Rules and Regulations report the following temporary rule:

That at the session of the House to be held on Friday evening, March 1, 1901, at seven o'clock and thirty minutes, the order of business shall be the consideration of constitutional amendments, and no other business shall be considered during the consideration of said constitutional amendments, except by unanimous consent of the Assembly.

Debate on constitutional amendments at said session shall be limited to twenty minutes on each constitutional amendment, one half of which time shall be allowed those favoring the same, and the remainder of the time to those in opposition

DUNLAP, Chairman.

Report adopted.

THIRD-READING FILE—(RESUMED).

Mr. Cowan moved that Assembly Bill No. 556 (145 on file) and Assembly Bill No. 448 (115 on file) be transposed on file.

So ordered.

Assembly Bill No. 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation, and the consumers of such water.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schultig, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 331—An Act to amend Section 374 of an Act entitled "An Act to establish a Penal Code."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Guilfoyle, Haley, Hasson, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, Merritt, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 393—An Act to amend Sections 612 and 616 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Haley, Hasson, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan,

Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—46.
NOES—None.

Title read and approved.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of coöperative associations," approved March 27, 1895.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Dunlap, Duryea, Evatt, Feliz, Foster, Gans, Guilfoyle, Haley, Higby, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Merritt, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Mr. Carter moved that Assembly Bill No. 386 (131 on file) and Assembly Bill No. 404 (119 on file) be transposed on file.

So ordered.

Assembly Bill No. 386—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Duryea, Feliz Foster, Gans, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Assembly Bill No. 484—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, John, Kincaid, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—48.
NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

At two o'clock and five minutes P. M., the Speaker called Mr. Cowan to the chair.

SENATE SPECIAL FILE.

Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act to amend an Act approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Carter, Cavagnaro, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—52

NOES—None.

Title read and approved.

Mr. Dunlap moved that Senate messages be taken up.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly Amendment No 1 to Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—and in accordance therewith, appointed Senators Taylor, Smith of Kern, and Leavitt as a conference committee to confer with a like committee already appointed by your honorable body.

Also: Committee Substitute for Senate Bill No. 209—An Act to amend Section 11 of an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874

Senate Bill No 290—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Senate Bill No. 356—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Bateman Bros for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco

Senate Bill No 365—An Act for the relief of J. E. Atkinson for personal injuries received by him while in the service of the State

Committee Substitute for Senate Bills Nos 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder

Senate Bill No. 408—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Committee Substitute for Senate Bill No. 209—An Act to amend Section 11 of an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874.

Read first time, and referred to Committee on Swamp and Overflowed Lands and River Improvements.

Senate Bill No. 290—An Act making an appropriation to pay the

claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Read first time, and referred to Committee on Claims.

Senate Bill No. 356—An Act making an appropriation to pay the claim of Bateman Bros., for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Read first time, and referred to Committee on Claims.

Senate Bill No. 365—An Act for the relief of J. E. Atkinson for personal injuries received by him while in the service of the State.

Read first time, and placed on Senate special file (being identical with Assembly Bill No. 487).

Committee Substitute for Senate Bills Nos. 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 408—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, February 26, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 67—An Act to amend Section 343 of the Penal Code of the State of California, relating to and defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker and others, and specifying the penalty therefor.

Also: Senate Bill No 144—An Act to provide for the organization and government of permanent road divisions, and defining the manner in which funds may be raised and expended for the construction, improvement, and maintenance of roads within such divisions

Also: Senate Bill No 320—An Act to provide in whose name title shall be taken to the site or sites for the construction of the works provided for in the Act of the Legislature of the State of California entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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 the amendments thereto.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 165—An Act making an appropriation for establishing and maintaining drinking fountains in the State Capitol grounds at Sacramento.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Merritt, Ray, Reeber, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—52

NOES—Messrs. Carter, Chandler, Ralston, Roberts, and Webber—5.

Title read and approved.

Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

Read third time.

Mr. Dunlap moved to pass the bill on file.

So ordered.

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 62*a* and 62*b*, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Ray, Reeber, Roberts, Rutherford, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—54.

NOES—None.

Title read and approved.

Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, Melick, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—54.

NOES—None.

Title read and approved.

Senate Bill No. 113—An Act relative to the meeting place of high school boards within municipal corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, McWade, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—52.

NOES—None.

Title read and approved.

Senate Bill No. 455—An Act to repeal an Act entitled "An Act to incorporate the Town of Downieville," approved March 18, 1863, and to repeal an Act amendatory thereof entitled "An Act to amend an Act entitled 'An Act to incorporate the Town of Downieville,' passed March 18, 1863," approved March 31, 1866.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Evatt, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Mattos, McNeil, McWade, Melick, Ray, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—50

NOES—Mr. Schillig—1.

Title read and approved.

SENATE JOINT RESOLUTION No. 14

Inviting the Committee on Rivers and Harbors of the House of Representatives to visit the State of California.

Resolved by the Senate and Assembly of the State of California, jointly, That we do extend a cordial invitation to the members of the Committee on Rivers and Harbors of the House of Representatives to visit the State of California, at their earliest convenience, for the purpose of examining the waterways and harbors of this State. The Pacific Slope is about to witness a great industrial development, and California must necessarily be the center of increased progress. The Bay of San Francisco and the great rivers that empty into it, will, in the near future, possess such a degree of importance that the whole people of the United States will demand their development as commercial waterways to their fullest capacity. From the fact that we are distant from the seat of government we have difficulty in making our needs known, and believe that an examination of our rivers and harbors would demonstrate their importance to the country. We pledge to the committee during their sojourn in California a most hearty welcome.

Resolved, That our Senators be instructed and our Representatives requested to present this invitation to the members of said committee, and to extend to them an invitation to visit California on behalf of this State.

Resolved, That the Secretary of the Senate be and he is hereby requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress by telegraph.

Resolution read and adopted.

Senate Bill No. 406—An Act to amend 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:

AMENDMENT No 1.

Amend the title by adding at the end thereof the following: "Lake County the Twelfth District, and Mendocino the Forty-fifth District."

Amendment adopted.

AMENDMENT No. 2

Amend by striking out the words "Counties of Lake and Mendocino," in line thirty-two, second page, printed bill, and inserting in lieu thereof the following: "County of Lake."

Also: Amend by inserting after line ninety-nine, fourth page, the following: "The County of Mendocino shall constitute Agricultural District No 45."

Amendment adopted.

Senate Bill No. 406 ordered to print and third reading.

Senate Bill No. 582—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Read second time.

Mr. McNeil moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Cowan in the chair, for the purpose of considering Senate Bill No. 582.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Cowan in the chair.

Senate Bill No. 582 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Cowan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 582—An Act making an appropriation for the propagation of steelhead trout in Humboldt County—and do now report the same back, and recommend that the same do pass.

COWAN, Chairman.

Report adopted.

Senate Bill No. 582 ordered to third reading.

Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read second time.

Mr. Broughton moved to amend as follows:

Amend by adding after Section 3 the following: "*provided*, that any corporation described in Section 1 of this Act which is now doing business in this State, and which has complied with the Act in relation to foreign corporations, approved April 1, 1872, and an Act amendatory thereof, approved March 17, 1899, is exempted from the provisions of this Act."

Amendment adopted.

Senate Bill No. 560 ordered to print and third reading.

Senate Bill No. 187—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Cowan in the chair, for the purpose of considering Senate Bill No. 187.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Cowan in the chair.

Senate Bill No. 187 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Cowan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 187—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a sec-

retary, and to appropriate money therefor—and do now report the same back, and recommend that the same do pass.

COWAN, Chairman.

Report adopted.

Senate Bill No. 187 ordered to third reading.

Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read second time.

Mr. Schlesinger moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Cowan in the chair, for the purpose of considering Senate Bill No. 118.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Cowan in the chair.

Senate Bill No. 118 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Cowan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

COWAN, Chairman.

Report adopted.

Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, printed bill, and inserting in lieu thereof the following: "after January first, nineteen hundred and two."

Amendment adopted.

Senate Bill No. 118 ordered to print and on third-reading file.

Senate Bill No. 366—An Act to authorize suit against the State concerning real property, and regulating the procedure therein.

Read second time, and ordered to third reading.

Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Senate Bill No. 407 by striking out all of the first five lines on page one of printed bill, and inserting in lieu thereof the following:

"SECTION 1. Section one of an Act entitled '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 fourteenth, eighteen hundred and eighty-one, and certain Acts amendatory thereof, approved March nineteenth, eighteen hundred and eighty-nine and March thirty-first, eighteen hundred and ninety-one, approved March thirty-first, eighteen hundred and ninety-seven, is hereby amended to read as follows."

Amendment adopted.

AMENDMENT No. 2.

Amend in line thirteen, page two of printed bill, by striking out the word "commissioner," and inserting in lieu thereof the word "commission."

Amendment adopted.

AMENDMENT No. 3.

Amend in line fifteen, page two of printed bill, by striking out the word "may," and inserting in lieu thereof the word "shall"

Amendment adopted.

AMENDMENT No. 4.

Amend in line sixteen, page two of printed bill, by striking out the words "Horticultural Commissioner," and inserting in lieu thereof the words "Board of Horticultural Commissioners, consisting of three members, unless otherwise provided for by the law relating to such county."

Amendment adopted.

AMENDMENT No. 5.

Amend in line twenty, page two of printed bill, by striking out the words "said commissioner," and inserting in lieu thereof the words "any of said commissioners."

Amendment adopted.

Senate Bill No. 407 ordered to print and third reading.

Senate Bill No. 116—An Act to amend the Penal Code by adding a new section to Title VIII, Chapter X thereof, to be known as 258, defining and providing a penalty for the crime of slander.

Read second time, and ordered to third reading.

Senate Bill No. 231—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication and the taking of affidavits to be used in procuring the order for publication of summons.

Read second time, and ordered to third reading.

Senate Bill No. 298—An Act to amend Section 379 of the Code of Civil Procedure.

Read second time.

The following committee amendment was submitted:

Insert after the word "upon," in line fourteen of the printed bill, the words "the Governor and."

Amendment adopted.

Senate Bill No. 298 ordered to print and third reading.

At three o'clock and seven minutes P. M., the Speaker resumed the chair.

Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read second time.

Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 541.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 541 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 541 ordered to third reading.

Senate Bill No. 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read second time.

Substitute for Senate Bill No. 167—An Act making an appropriation for the erection in the State burial plot at Sacramento of monuments or headstones at the graves of Hon. E. G. Waite, late Secretary of State; Hon. Levi Rackliffe, late State Treasurer; Hon. Dana Perkins, late State Librarian; Hon. Thomas A. Springer, late State Printer, and Hon. Barnabas Collins, late Assemblyman from the Seventh Assembly District.

Read second time.

Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 540 and Substitute for Senate Bill No. 167.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 540 and Substitute for Senate Bill No. 167 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto

Also: Substitute for Senate Bill No. 167—An Act making an appropriation for the erection in the State burial plot at Sacramento of monuments or headstones at the graves of Hon. E. G. Waite, late Secretary of State; Hon. Levi Rackliffe, late State Treasurer; Hon. Dana Perkins, late State Librarian; Hon. Thomas A. Springer, late State Printer, and Hon. Barnabas Collins, late Assemblyman from the Seventh Assembly District.

And do now report the same back, and recommend that they do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 540 and Substitute for Senate Bill No. 167 ordered to third reading.

Senate Bill No. 436—An Act to amend an Act entitled "An Act authorizing the common council, board of trustees, or 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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incor-

porated cities or towns, the issue of bonds therefor, the levy of a tax for payment thereof, and the disposition of moneys raised thereby.

Read second time, and ordered to third reading.

Senate Bill No. 46—An Act to amend the Code of Civil Procedure of this State by adding one new section thereto, to be numbered Section 1975, relating to the proof of proceedings of municipal corporations.

Read second time, and ordered to third reading.

Substitute for Senate Bill No. 216—An Act to amend Section 1895 of the Political Code of the State of California, relating to persons subject to military duty, and to those who may constitute military organizations in the service of the State of California.

Read second time, and ordered to third reading.

SPECIAL FILE—(RESUMED).

Mr. Carter moved that Assembly Constitutional Amendment No. 21 be taken up

So ordered.

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city, or town.

Mr. Carter moved to amend Assembly Constitutional Amendment No. 21 as follows:

Amend by striking out the word "when," in line sixteen, page two, and the words "called for," in line seventeen, page two, printed bill.

Amendment adopted.

Assembly Constitutional Amendment No. 21 ordered to print and on file for final action.

MOTION TO RECONSIDER.

Mr. Broughton moved to reconsider the vote whereby Assembly Bill No. 586 was on last legislative day refused passage, notice of reconsideration having been given.

The roll was called, and the motion carried by the following vote:

AYES—Messrs Atherton, Barnes, Bauer, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Dunlap, Evatt, Foster, Guilfoyle, Hanen, Henry, Higby, Hourigan, Irish, James, Johnson, Knight, Laird, Levinson, Macbeth, Mattos, McWade, Merritt, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—45.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Bliss, Cowan, Cromwell, Feliz, Haley, Hasson, Kelley, Kincaid, Knowland, McLoughlin, Miller, Schlesinger, and Wright—16.

Assembly Bill No. 586—An Act to provide for the formation, organization, and classification of new counties, for locating the county seats, for the election and appointment of officers, and for the adjustment and fulfillment of the rights and obligations arising between such new counties and other counties.

Mr. Broughton moved that a select committee of one be appointed to amend Assembly Bill No. 586 as follows:

In Section 2, line one, strike out the words "any of."

Also: In Section 2, line four, strike out the words "one half," and insert in lieu thereof the words "three fifths."

Also: In Section 2, line five, strike out the words "qualified electors," and insert in lieu thereof the word "landowners."

Also: In Section 2, line five, strike out the comma.

Also: In Section 2, lines five and six, strike out all from and including the word "residence," in line five, to and including the word "county," in line six, and insert in lieu thereof the words "as shown by the last assessment roll or rolls."

Also: In Section 2, strike out all of line forty-five after the period therein.

Also: In Section 2, strike out all of lines forty-six, forty-seven, forty-eight, and forty-nine, and all of line fifty to and including the period therein.

Also: In Section 2, line seventy-five, strike out the word "electors" and insert in lieu thereof the word "landowners."

Also: In Section 2, lines seventy-five and seventy-six, strike out all from and including the word "residence," in line seventy-five, to and including the first word "county," in line seventy-six

Motion carried, and so ordered.

Mr. Broughton was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER Your select committee of one, to whom was referred Assembly Bill No 586—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—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BROUGHTON, Committee

Report and amendments adopted.

Assembly Bill No. 586 ordered to print and on file for passage.

SPECIAL ORDER SET.

Mr. Broughton moved that Assembly Bill No. 586 be made special order for to-morrow at three o'clock and thirty minutes P. M.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 485—An Act to amend Section 305 of the Civil Code, relating to corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Collins, Cowan, Cromwell, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, Knight, Knowland, Laird, Levinson, Macbeth, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Collins, Cromwell, Dunlap, Duryea, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, Kelley, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—55.

NOES—Mr. McWade—1.

Title read and approved.

Mr. McWade asked for and was granted unanimous consent to withdraw Assembly Bill No. 59 and have Assembly Bill No. 814 (398 on second reading file) read second time and substituted for Assembly Bill No. 59 on file.

Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over 20,000 wherein official matrons or their duties are not now provided for by law, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such Matron.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 277—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 17, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing, and modifying and reapportionment and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments thereunder, and remonstrances against such assessments and reassessments, and against the improvements under said Act.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Miller, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—57

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Assembly Bill No 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk along California and Park streets in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital

Assembly Bill No. 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditure thereof.

Assembly Bill No. 683—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Assembly Bill No 690—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 fiftieth fiscal year.

Also: That the following bills have been correctly enrolled:

Assembly Bill No 19—An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expenses incurred by him in that certain action

commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled "The People of the State of California, by Tirey L. Ford, Attorney-General, plaintiff, vs Charles F. Curry, as Secretary of State of the State of California," No. 73,277, and decided on appeal by the Supreme Court of the State of California, and therein entitled "The People of the State of California, plaintiff and appellant, vs Charles F. Curry, as Secretary of State of the State of California, defendant and respondent," and numbered San Francisco No 2442.

Assembly Bill No 35—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads, broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production, and to provide a penalty for the violation of said Act."

And were presented to the Governor this day, at two o'clock and forty minutes P. M.

FRANKLIN, Chairman

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Senate Bill No. 12—An Act to validate certain acts and proceedings had under an Act of the Legislature of the State of California entitled "An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897—have had the same under consideration, and respectfully recommend that the same do not pass.

Also: Assembly Bill No 322—An Act to amend Section 5 and Section 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in 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 Boards 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, with amendments, and recommend that the same do pass as amended.

GREER, Chairman

ON MILITARY AFFAIRS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER. Your Committee on Military Affairs, to whom was referred Assembly Bill No. 306—An Act entitled "An Act to amend Section 2003 of the Political Code—have had the same under consideration, and respectfully report the same back without recommendation.

BENNINK, Chairman

ON MILEAGE

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Mileage, to whom was referred the following from the sub-committee on Ways and Means:

WHEREAS, The sub-committee appointed by the Committee on Ways and Means, and authorized to visit the Whittier Reform School, having visited said institution on February 23, 1901, made their report on the bills before the committee carrying appropriations for the needs of said institution, herewith present their bill of expenses for said visit, to wit: mileage as follows:

Roberts	$99 80
Carter	99 80
Schilig	99 80
	$299 40

And your said committee ask the adoption of the following resolution:

Resolved, That the State Controller be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly in favor of Lawrence Schilig, chairman of said sub-committee of the Committee on Ways and Means for the sum of $299 40, as per foregoing statement, and the State Treasurer is hereby directed to pay the same

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted

EVATT, Chairman.

Report and resolution adopted.

THIRD READING FILE—(RESUMED).

Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—62

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON PUBLIC PRINTING

ASSEMBLY CHAMBER, SACRAMENTO, February 21, 1901.

MR. SPEAKER: Your Committee on Public Printing, to whom was referred Committee Substitute for Senate Bill No. 56—An Act to amend Section 530 of an Act to establish a Political Code, relating to the office of Superintendent of State Printing, and providing for the appointment of such officer by the Governor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

KELLEY, Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

MOTION.

Mr. Kelley moved that Assembly Bill No. 851 be recalled from the Committee on Ways and Means.

So ordered.

RESOLUTION—(CASE OF URGENCY).

Mr. Kelley offered the following resolution:

Resolved, That Assembly Bill No. 851 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 second time, considered engrossed, and read third time, and placed upon its passage

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler,

Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Webber, Williams, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read second time, considered engrossed, and ordered to third reading.

Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Chiles, Clarke, Cowan, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Mr Speaker—60

NOES—None.

Title read and approved.

RECESS.

At four o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker pro tem. Ralston in the chair.

Quorum present.

THIRD-READING FILE—(RESUMED).

Mr. Treadwell moved that Committee Substitute for Senate Bill No. 138 and Assembly Bill No. 683 (Committee Substitute for Assembly Bill No. 119) be taken up for consideration.

So ordered.

Committee Substitute for Senate Bill No. 138—An Act to revise the Code of Civil Procedure of the State of California by amending certain sections, repealing others, and adding certain new sections

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barnes, Bauer, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, Johnson, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—54

NOES—Messrs Anderson of Santa Clara, Brown of San Mateo, Chandler, Chiles, Feliz, Higby, James, John, Knowland, and Schillig—10.

Title read and approved.

Assembly Bill No. 683 (Committee Substitute for Assembly Bill No.

119)—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, Johnson, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Wright—50.

NOES—Messrs. Anderson of Santa Clara, Berry, Brown of San Mateo, Chandler, Feliz, Higby, James, John, and Stewart of San Diego—9.

Title read and approved.

At nine o'clock P. M., the Speaker resumed the chair.

SECOND-READING FILE.

Assembly Bill No. 764—An Act to revise the Penal Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

Read second time.

The following amendments were submitted:

By Mr. Savage:

Amend by striking out Section 232 of the bill and inserting in lieu thereof the following: "Section 954. The indictment or information may charge different offenses, or different statements of the same offense, under separate counts, but they must all relate to the same act, transaction, or event, and charges of offenses occurring at different and distinct times and places must not be joined. The prosecution is not required to elect between the different offenses or counts set forth in the indictment or information, but the defendant can be convicted of but one of the offenses charged, and the same must be stated in the verdict."

Amendment adopted.

COMMITTEE AMENDMENT NO. 1.

Amend Section 152 of the bill by striking from line two thereof the words "five hundred and ninety-three," and inserting in lieu thereof the words "five hundred and ninety-three *a*."

Also By striking from line four the figures "593," and inserting in lieu thereof "593*a*."

Amendment adopted.

COMMITTEE AMENDMENT NO 2

Amend by inserting before Section 241 of the bill a new section, to be numbered 240*a*, and to read as follows: "Section 240*a*. A new section is hereby added to said Code, to be numbered 1103*a*, and to read as follows: 'Section 1103*a*. Perjury must be proved by the testimony of two witnesses, or of one witness and corroborating circumstances.'"

Amendment adopted.

COMMITTEE AMENDMENT NO. 3.

Amend Section 338 of the bill by adding at the end thereof the following "*provided*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature, if the provisions of such laws contravene or are inconsistent with the provisions of this Act, the provisions of such laws must prevail; *and provided further*, that with relation to the laws passed at the present session (the thirty-fourth) of the Legislature this Act must be construed as though it had been passed on the first day of the present session (the thirty-fourth) of the Legislature"

Amendment adopted.

By Mr. Walker:

Amend by inserting, on page twenty-nine, Section 347*a*, line three, the word "absinthe" after the word "any."

Amendment adopted.

By Mr. Johnson:

Amend by inserting after Section 369*h*, page thirty-four, a new section, to be known and numbered as Section 369*i*, to read as follows "Section 369*i*. Every person who, *without being thereunto authorized by the owner, lessee, or person or corporation* operating the same, climbs upon, holds to, or in any manner attaches himself to any locomotive engine, or freight or passenger car or train, while the same is in motion or standing still, or who, without like authority, rides or attempts to ride upon any railroad train of any character, or in or upon any part thereof, for the purpose or with the intent of riding free thereon, is guilty of a misdemeanor."

Amendment adopted.

Also:

Amend by inserting after Section 369*i*, page thirty-four, a new section, to be known and numbered as Section 369*j*, to read as follows: "Section 369*j* Every locomotive engineer, fireman, conductor, brakeman, or other employé of any railroad company, who knowingly assists, aids, or abets any person in doing any act or thing declared by Section 369*i* to be a misdemeanor, or who takes, receives, or accepts any money or thing of value from any person or persons in consideration of permitting or conniving at such act or acts, is guilty of a misdemeanor."

Amendment adopted.

Also:

Amend by striking out all of Section 150, page fifty-two, after the word "follows," in line two, page fifty-two, and inserting in lieu thereof the following:

"Section 587 Every person who maliciously either—

"1. Removes, displaces, injures, or destroys any part of any railroad of any character whatsoever, or of any track, branch, branch-way, switch, turnout, bridge, viaduct, culvert, or embankment thereof, or any station-house, or other structure, fixture, or appliance, or any part thereof, attached to, or connected with, or used in the operation of such railroad, or

"2. Places any obstruction upon the rails or track of any such railroad, or of any switch, branch, branch-way, or turnout connected therewith; or

"3 Breaks, removes, or opens any seal placed upon any railroad car—is punishable by imprisonment in the State prison not exceeding five years, or in the county jail not less than six months

"A seal within the meaning of this section is any appliance or device attached to any of the doors, windows, or openings of any railroad car in such manner that to enter such door, window, or opening it is necessary to break, remove, or open such seal."

Amendment adopted.

Also:

Amend by inserting after Section 150, page fifty-two, a new section, to be known and numbered as Section 150½, to read as follows: "A new section is hereby added to the Penal Code to be known as Section 587*a*, and to read as follows. 'Section 587*a* Every person who maliciously shoots at or into, or throws any stone or other missile at or into any train or car on any railroad, while any passenger or other person is upon or within such train or car, or upon or within any locomotive or other engine thereunto attached, must, upon conviction thereof, be punished by imprisonment in the State prison for not less than one nor more than three years, or by imprisonment in the county jail for not less than six months or more than twelve months, or by fine not exceeding five hundred dollars, or by both such fine and imprisonment in the county jail' "

Amendment adopted.

Also:

Amend by striking out Section 199, page sixty-nine of the printed bill.

Amendment adopted.

By Mr. Guilfoyle:

Amend by striking out Section 116 of the bill

Motion lost.

Mr. Sheridan moved to amend as follows:

Amend by striking out of Section 39, page eighteen, all after the word "section" in line two and one half, and inserting the following·

"165. Every person who gives or offers a bribe to any member of any common council, board of supervisors, or board of trustees of any county, city and county, city or public cor-

poration with intent to corruptly influence such member in his action on any matter or subject pending before the body of which he is a member, and every member of any of the bodies mentioned in this section who asks, receives or agrees to receive any bribe upon any understanding that his official vote, opinion, judgment or action shall be influenced thereby, or shall be given in any particular manner or upon any particular side of any question or matter, upon which he may be required to act in his official capacity, or gives or offers or promises to give any official vote in consideration that another member of the body of which he is a member shall give any vote, either upon the same or another question, is punishable by imprisonment in the State's prison not less than one nor more than fourteen years, and upon conviction thereof shall in addition to said punishment forfeit his office, be disfranchised and forever disqualified from holding any public office or trust"

Amendment adopted.

Assembly Bill No. 764 ordered to print, engrossment, and third reading.

THIRD-READING FILE—(RESUMED).

Mr. Irish moved that Assembly Bill No. 49 (139 on file) take the place of Assembly Bill No. 261 (128 on file).

So ordered.

Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Evatt, Foster, Greer, Guilfoyle, Haley, Hasson, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Levinson, Mattos, McLoughlin, Melick, Merritt, Milice, Myers, Ralston, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 86—An Act to amend Section 208 of the Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Collins, Cowan, Cromwell, Dunlap, Evatt, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Mr. Speaker—51.

NOES—Mr. Sutro—1.

Title read and approved.

Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the Treaty of Cahuenga was made, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Radcliff, Ralston, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro Treadwell, Walker, and Mr. Speaker—46.

NOES—Messrs. Atherton, Berry, Chiles, Collins, and McWade—5

Title read and approved.

Mr. Carter moved that Assembly Bill No. 404 (131 on file) and Assembly Bill No. 278 (194 on file) be transposed on file.

So ordered.

Mr. Sheridan moved that Assembly Bill No. 493 (132 on file) and Assembly Bill No. 520 (181 on file) be transposed on file.

So ordered.

Assembly Bill No. 520—An Act to amend the Political Code by amending Section 2696 thereof, and by adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways.

Read third time.

Mr. Sheridan moved that a select committee of one be appointed to amend Assembly Bill No. 520 as follows:

In the blank after the word "exceeding," in line thirteen of page two of the amended printed bill, insert the word "twenty-five," and in the blank after the word "exceeding," in line fifteen of second page, insert the word "fifty."

Motion carried, and so ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 520—An Act to amend the Political Code by amending Section 2696 thereof, and by adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways—with instructions to amend, now reports that the instructions of the Assembly have been carried out

SHERIDAN, Committee

Report and amendment adopted.

Assembly Bill No. 520 ordered to print, reengrossment, and on file for final action.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 575—An Act to provide for the exportation of non-citizen inmates of the State hospitals for the insane, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended, and be referred to Committee on Ways and Means, under the rule.

SCHILLIG, Chairman.

Assembly Bill No. 575 re-referred to Committee on Ways and Means.

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Also: Assembly Bill No. 755—An Act to repeal Sections 2 and 3 of an Act entitled "An Act for the further protection of stockholders in mining companies," approved April 23, 1880

Also. Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

BROUGHTON, Chairman.

ADJOURNMENT.

The hour of adjournment having arrived, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, February 28, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—68.

Quorum present.

LEAVE OF ABSENCE.

Mr. Hasson was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Clarke, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, February 26, 1901, was read, corrected, and approved.

PETITION.

Mr. Treadwell presented the following petition:

To the HON. E. F. TREADWELL, *Assemblyman representing Assembly District No. 35:*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust. We, therefore, your constituents, request that you vote against this bill, to the end it may not become a law.

Wm. C. Pond, 418 Bartlett Street; Wm. Johnstone, 412 Bartlett Street; Eva M Hare, 578 San José Avenue; Frank M. Garrison, C. P. Conklin, E. Heseltner, C. L. Barber, 1152 Shotwell Street; J. P. Maitland, 913½ Capp Street; A. S. Potter, A. A Chamberlain, and thirty others (of San Francisco).

Ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 552—An Act to amend Section 1240 of the Code of Civil Procedure of the

State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Also: Assembly Bill No. 756—An Act to amend Section 299 of the Civil Code.

Also: Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Report the same back with the recommendation that they do pass.

Also. Senate Constitutional Amendment No 3—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1¾, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation, and irrigation districts) within said State.

Also: Senate Constitutional Amendment No. 6—An Act to propose to the people of the State of California an amendment to Section 8, Article XI of the Constitution of the State of California, relating to charters.

Report the same back with the recommendation that they be adopted.

Also: Senate Constitutional Amendment No 13—To propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 8 of Article I thereof, relating to offenses—report the same back by a majority vote, and recommend that it do not pass.

Also: Senate Bill No. 71—An Act to add a new section to the Penal Code of the State of California, to be known as Section 600½, relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor—report the same back with one amendment, and with the recommendation that it do pass as amended.

Also Assembly Constitutional Amendment No. 10—Relative to amending Article VI of the County Government Act—report the same back with the recommendation that it do not pass.

Also: Senate Bill No 557—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions—report the same back with the recommendation that it do pass.

Also: Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property—report the same back, by a majority vote, with the recommendation that it do pass.

Also: Assembly Bill No. 853—An Act to permit and enable the people of the State of California to express by ballot their preference for some person for the office of United States Senator at the general election in 1902

Also: Assembly Bill No. 842—An Act to amend Section 1476 of the Penal Code of the State of California, relating to the writ of habeas corpus.

Also: Assembly Bill No. 803—An Act to amend Section 1 of an Act entitled "An Act to amend an Act entitled 'An Act to amend 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 its proceeds,' approved March 23, 1893,' approved March 9, 1897," which became a law March 14, 1899

Report the same back with the recommendation that they do pass.

JOHNSON, Chairman.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 304—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School of San Diego, and making an appropriation therefor.

Assembly Bill No. 549—An Act making appropriation of money to provide for certain improvements and repairs to the Napa State Hospital at Napa.

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw same.

Also: Assembly Bill No 220—An Act providing for the creation and management of the California Redwood Park—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw same, and that the accompanying bill be introduced as a substitute.

FISK, Chairman.

Assembly Bills Nos. 304 and 549 withdrawn by authors.

Assembly Bill No. 873 substituted for Assembly Bill No. 220, and referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. F. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California, for foreclosing State school lands in Napa County, State of California.

Also: Assembly Bill No. 737—An Act making an appropriation of $2,500 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to repair the boilers in the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Assembly Bill No. 700—An Act to provide for the building of a blacksmith shop, wood-working and carpenter shop, and for the necessary machinery for equipping and operating the same at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm water drains on the grounds of the Southern California State Hospital at Patton, California

Also: Assembly Bill No. 752—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Also: Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Also: Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 698—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 697—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 806—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Also: Assembly Bill No. 743—An Act making an appropriation to pay the claim of W. B. Fouts, for the arrest and conviction of Herman Westfall for attempted highway robbery

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No. 280—An Act making an appropriation to pay the claim of Thomas O. Toland, for mileage in attending, as a Trustee of the State Normal School of San Diego, the meetings of the Joint Board of Normal School Trustees of the State of California, held at San José in June, 1897, at Los Angeles in April, 1898, and at Sacramento in September, 1898.

Also: Assembly Bill No. 341—An Act to provide for certain improvements at the Southern California Hospital, and making an appropriation therefor.

Also: Assembly Bill No 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Also: Assembly Bill No. 547—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa.

Also: Assembly Bill No. 257—An Act making an appropriation to study the life history of beneficial and injurious insects in the State of California.

Also: Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Also: Assembly Bill No 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Senate Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the "Industrial Home of Mechanical Trades for the Adult Blind."

Also: Senate Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of the Agnews State Hospital, and appropriating money therefor.

Also: Assembly Bill No. 253—An Act making an appropriation to pay the deficiency

in he Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Also: Assembly Bill No. 344—An Act to provide for certain improvements at the Southern California State Hospital and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Senate Bill No 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School of San Diego, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor, and secure an option of purchase therefor, and submit sketch plans and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes

Also: Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor.

Also: Assembly Bill No. 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital.

Also: Assembly Bill No 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State prison at Folsom.

Also: Assembly Bill No. 438—An Act to create the office of State Dentist for the State Insane Asylums, to prescribe his duties and provide for the payment thereof.

Also: Assembly Bill No. 617—An Act to provide for improving the grounds of the Agnews State Hospital, and making an appropriation therefor

Also: Assembly Bill No. 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms and other like commodities by the inmates of the "Industrial Home of the Adult Blind."

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

FISK, Chairman.

ON WAYS AND MEANS—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 26, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom—have had the same under consideration, and respectfully report the same back, and the undersigned member of the committee, as a minority thereof, recommends that the same do pass.

RALSTON

ON PUBLIC HEALTH AND QUARANTINE.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Public Health and Quarantine, to whom was referred Assembly Bill No. 794—An Act to regulate the practice of pharmacy and sale of poisons in the State of California—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code

Also: Assembly Bill No. 808—An Act to amend the Penal Code of California by adding a new section, to be numbered 345, relating to the manufacture, sale, or giving away of baneful or injurious food adulterants—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

HASSON, Chairman.

ON PUBLIC HEALTH AND QUARANTINE—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: The undersigned, a minority of your committee on Public Health and Quarantine, respectfully dissents from the action of the majority of said committee on Assembly Bill No 808, and recommends that it do not pass

A. A. CAVAGNARO.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No. 544—An Act to regulate the employment, hours of labor, etc., of children, and

to prohibit the employment of minors under a certain age—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass

WEBBER, Chairman.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS—(MAJORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Assembly Bill No. 831—An Act to establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back, and a majority recommend that it do pass.

IRISH, Chairman.

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 715—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be known and numbered as Section 626*a*, relating to the baiting of wild game.

Also: Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Also: Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds and their eggs and nests.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HIGBY, Chairman.

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No 840—An Act to establish police courts in cities of the third class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof.

Also: Senate Bill No. 270 –An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

Also· Senate Bill No. 305—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class, and cities and counties.

Also: Assembly Bill No 529—An Act to amend Section 764 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. 742—An Act to amend that certain Act of the Legislature of the State of California, approved March 19, 1889, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, incorporated under the laws of this State; for the construction of water works, sewers, and all necessary public improvements, or for any purpose whatever, and to repeal the Act approved March 9, 1885, entitled 'An Act to authorize municipal corporations of the fifth class, containing more than three thousand and less than ten thousand inhabitants, to obtain water works'"; also, to repeal an Act approved March 15, 1887, entitled "An Act authorizing the incurring of indebtedness by cities, towns, and municipal corporations incorporated under the laws of this State," by amending Section 6 thereof.

Also: Assembly Bill No 791—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. 833—An Act to amend Section 855 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 834—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 an 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 one or more school-houses and for 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," relating to the issuance of bonds by 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.

Have had the same under consideration, and respectfully report the same back with the recommendation that they do pass

SAVAGE, Chairman.

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Assembly Bill No 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

MACBETH, Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER. Your Committee on Federal Relations, to whom was referred Assembly Joint Resolution No. 15—Relative to the "Humboldt Indian Claims," to wit:

WHEREAS, The claims of a large number of people of the State of California on the Federal Government for indemnity for losses incurred by the depredations of the Humboldt Indians, and which are known as the "Humboldt Indian Claims," have been on file in the United States Court of Claims since said losses incurred; and

WHEREAS, The equity and justice of these claims have never been successfully disputed, and

WHEREAS, The particular claim of Mrs. Albee was selected as a test case as regards the validity of all the claims; and

WHEREAS, The final award was wholly in her favor, but which award nor any other award or money on account of these claims has ever been paid; therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That we instruct our Senators and respectfully request our Representatives in Congress to use all honorable means to secure the early payment of these claims; be it further

Resolved, That the Chief Clerk is hereby directed to mail a copy of these resolutions to each of our Senators and Representatives in Congress.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

KNIGHT, Chairman.

Assembly Joint Resolution No. 15 read and adopted.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Also: Assembly Bill No. 817—An Act to amend Section 1775 of the Political Code, empowering County Boards of Education to grant teachers' certificates without examination.

Also: Assembly Bill No. 820—An Act to repeal subdivision nine of Section 1521 of the Political Code, relating to an educational journal.

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

GANS, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No 649—An Act to amend Section 530 of an Act to establish a Political Code, relating to the office of Superintendent of State Printing, and providing for the appointment of such officer by the Governor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 649—An Act to amend Section 530 of an Act to establish a Political Code, relating to the office of Superintendent of State Printing, and providing for the appointment of such officer by the Governor.

Read first time, and referred to Committee on Public Printing.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate requests the return of Senate Bill No. 187—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor—as the same subject-matter is contained in Assembly Bill No. 229, which has passed both houses.

Also: Senate Bill No 270—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit—as the same subject-matter is contained in Assembly Bill No. 464, which has passed both houses

Also: Passed the following Assembly bills.

Assembly Bill No. 5—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. 76—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered Section 1143, relating to the payment of jurors' fees

Assembly Bill No 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Assembly Bill No. 362—An Act to amend Section 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo.

Assembly Bill No 368—An Act making an appropriation to pay the claim of O. O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Assembly Bill No 369—An Act appropriating $300 to pay the claim of George E. Dierssen, assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued.

Assembly Bill No. 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883.

Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections.

Also: Amended, and passed as amended, the following Assembly bills:

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

Assembly Bill No. 54—An Act to amend an Act entitled "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

Assembly Bill No. 150—An Act to amend Sections 4, 5, 6, 10, 13, 14 of an Act entitled "An Act for the more effectual prevention of cruelty to animals," approved March 20, 1874, and to add three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells, and to prevent the waste of subterranean waters in this State," approved March 9 1878, by repealing Section 8 thereof

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J. BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Senate Bills Nos. 187 and 270 ordered returned to Senate.

Assembly Bills Nos. 5, 76, 229, 362, 368, 369, 383, 385, 409, 411, and 412 ordered to enrollment.

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by inserting in line four, after the word "follows," the word and figure "Section 1," and paragraph said Section 1.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Dunlap, Foster, Gans, Guilfoyle, Haley, Hanen, Higby, Hourigan, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ray, Reeber, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—47.
NOES—None

Assembly Bill No. 4 ordered to enrollment.

Assembly Bill No. 54—An Act to amend an Act entitled "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 purposes 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.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by inserting in Section 1, line four, after the word "certified," the following. "Shall be presented to the governing body having control of the streets, roads, alleys, and highways in the territory shown on the map or plat, and said governing body shall indorse thereon which streets, roads, alleys, and highways offered by said map or plat they accept on behalf of the public, and thereupon such streets, roads, alleys, and highways only as have been thus accepted shall be and become dedicated to public use. When so indorsed, and not before, said map or plat."

Also: Amend by inserting the following after the period after the word "purpose". "That map or plat shall be not more than thirty-six inches by thirty-six inches in size, and shall be drawn in all details clearly and legibly, and if not so drawn may be refused by the County Recorder. When such map or plat is presented to be recorded, the County Recorder shall paste the same securely in a book of maps, and it shall then be deemed to have been recorded under the provisions of this Act."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Cavagnaro, Chandler, Clarke, Cromwell, Duryea, Foster, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—50.
NOES—None

Assembly Bill No. 54 ordered to enrollment.

Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out in line six, Section 8, page five of printed bill, the word "every," and insert in lieu thereof the word "ever."

Also: Amend by striking out of Section 9, line ten, page five of printed bill, the words "so much," and inserting the following: "such undivided fraction."

Also: Amend by adding to the end of line twenty-five, page six, Section 9, after the word "place," "if no humane society exists in county, then the remainder shall be paid into the County Treasury."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Collins, Cromwell, Dunlap, Duryea, Foster, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, Melick, Merritt, Milice, Miller, Ray, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 150 ordered to enrollment.

Assembly Bill No. 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by adding to end of title the words "by repealing Section 8 thereof."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Duryea, Foster, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, Merritt, Milice, Radcliff, Reeber Rutherford, Sheridan, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—42.
NOES—None.

Assembly Bill No. 319 ordered to enrollment.

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by striking out the word "the," between the words "in" and "Senate," in the enacting clause, on first page, printed bill.

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Foster, Guilfoyle, Hanen, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, Milice, Ray, Reeber, Rutherford Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr Speaker—43.
NOES—None.

Assembly Bill No. 464 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No 13—Relative to the consent of the Legislature to absence from the State of State Senator C. M. Belshaw, of the Eleventh Senatorial District, for a period not to exceed six months.

Also: Senate Concurrent Resolution No 15—Relative to the consent of the Legislature to absence from the State of State Senator Louis Oneal, of the Thirty-first Senatorial District, for a period not to exceed twenty months.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

SENATE CONCURRENT RESOLUTION NO. 13.

Relative to the consent of the Legislature to absence from the State of State Senator C. M. Belshaw, of the Eleventh Senatorial District, for a period not to exceed six months.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California has consented, and does hereby consent, that State Senator Hon. C. M. Bel-

shaw, of the Eleventh Senatorial District, may depart from the State of California at any time during the remainder of his official term as State Senator, and remain absent for a period not to exceed six months from and immediately succeeding the time of his departure.

Read and adopted.

SENATE CONCURRENT RESOLUTION No. 15.

Relative to the consent of the Legislature to absence from the State of State Senator Louis Oneal, of the Thirty-first Senatorial District, for a period not to exceed twenty months.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California has consented, and does hereby consent, that State Senator Louis Oneal, of the Thirty-first Senatorial District, may depart from the State of California at any time during the remainder of his official term as State Senator, and remain absent for a period not to exceed twenty months from and immediately succeeding the time of his departure.

Read and adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California.

Also: Assembly Bill No 566—An Act making an appropriation to pay the claim of Louis Schuckman for the arrest and conviction of J C. Sharpe, for attempted highway robbery.

Also: Assembly Bill No. 785—An Act to appropriate the sum of $400 to pay the claim of James W. Travers, for money due and owing the said James W Travers from the State of California.

Also. Assembly Bill No. 688—An Act entitled an Act to pay the claim of Fred Mason for towel service furnished the Board of Public Works during the forty-eighth fiscal year.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass

HENRY, Chairman.

Senate Bill No. 222 and Assembly Bills Nos. 566, 785, and 688 referred to Committee on Ways and Means.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 497—An Act to amend Section 1 of "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," approved March 31, 1897.

Assembly Bill No. 571—An Act to add a new section to the Code of Civil Procedure, to be known and numbered Section 391

Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over twenty thousand, wherein official matrons or their duties are not now provided for by law, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of and the giving of official bond by, such matron.

G. H. ANDERSON, Acting Chairman.

MOTION.

Mr. Hubbard moved that permission be granted by the Assembly to introduce a bill, the title of which reads as follows: "An Act to amend the County Government Act," etc., and that it be referred to Committee on Introduction of Bills.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 137—An Act appropriating the sum of $2,345.75, to pay the claim of the Pacific Coast Steamship Company against the State of California for loss of merchandise by the collapse of a portion of Pier 9, in the City and County of San Francisco, California.

The question being, "Shall the bill become a law notwithstanding the Governor's veto?"

The roll was called, and the veto sustained by the following vote:

AYES—Messrs Collins, Mattos, and Treadwell—3.

NOES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Cowan, Cromwell, Dunlap, Duryea, Foster, Franklin, Guilfoyle, Hanen, Higby, James, Johnson, John, Kincaid, Knight, Knowland, McNeil, Milice, Miller, Myers, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Wright, and Mr. Speaker—43.

Assembly Bill No. 63—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

The question being, "Shall the bill become a law notwithstanding the Governor's veto?"

The roll was called, and the veto sustained by the following vote:

AYES—Mr. Carter—1.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Franklin, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Myers, Ralston, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.

RESOLUTION.

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly for $616.17 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the State Treasurer is authorized and directed to pay the same, in payment of bills as per list attached:

H. S. Crocker Co.	$85 15
Locke & Lavenson	46 70
D. Johnston & Co.	4 00
D. Johnston & Co	2 00
Geo. B. Stack	19 73
Geo. B. Stack	27 30
Geo. B. Stack	30 89
Geo. B Stack	19 65
Buffalo Brewing Co.	13 00
Capital Telephone and Telegraph Co	6 00
Sunset Telephone and Telegraph Co.	10 65
W L. Reed	17 50
Mrs. C. McCall	6 00
Tom Scott	79 15
John Breuner Co.	34 85
John Breuner Co	176 00
Abl & Daily	37 60
Total	$616 17

Read, and referred to Committee on Ways and Means.

ASSEMBLY SPECIAL FILE.

Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Read third time.

Mr. Ray moved that a select committee of one be appointed to amend Assembly Bill No. 472 as follows:

Amend Section 3 of the printed bill, by striking out, in lines one and two, the words "from and after the date of its passage," and inserting in lieu thereof the following: "January first, nineteen hundred and two."

Motion carried, and so ordered.

Mr. Ray was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER. Your select committee of one, to whom was referred Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out

RAY, Committee

Report and amendment adopted.

Assembly Bill No. 472 ordered to print, reengrossment, and on file for final action.

Assembly Bill No. 421—An Act making an appropriation of $6,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment, and the construction of an ice-making plant and refrigerating room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, Kincaid, Levinson, Mattos, McLoughlin, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—58.

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

The Committee on Ways and Means were granted leave of absence until noon recess.

Mr. McLoughlin was granted leave of absence until two o'clock P. M. of Friday, March 1, 1901.

At eleven o'clock and thirty minutes A. M., the Speaker called Mr. Guilfoyle to the chair.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 423—An Act making an appropriation of $4,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Clark, Collins, Cowan, Cromwell, Dunlap, Duryea, Foster, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Milice, Miller, Myers, Radcliff, Ray, Reeber, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Webber, Williams, and Wright—48

NOES—Messrs. James, Schillig, and Walker—3.

Title read and approved.

Assembly Bill No. 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Foster, Franklin, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, John, Knight, Knowland, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—51.

NOES—None.

Title read and approved.

Assembly Bill No. 417—An Act to amend subdivision two of Section 1, Article III, of an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a Board of Directors for the government thereof, and appropriating the sum of $6,500 for the support of said home," approved March 17, 1887.

Read second time, ordered to engrossment and third reading.

MOTION.

Mr. Melick moved that Senate messages be taken up for consideration.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 851 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, February 27, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 108—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Also: Senate Bill No. 310—An Act to regulate the practice of pharmacy and sale of poisons in the State of California

Also: Senate Bill No 427—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age.

Also: Senate Bill No. 476—An Act making an appropriation to pay the County of Alameda for the support of orphans, half-orphans, and abandoned children during the half year ending June 30, 1898.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 108—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read first time, and referred to Committee on County and Township Governments.

Senate Bill No. 310—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read first time, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 427—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age.

Read first time, and referred to Committee on Labor and Capital.

Senate Bill No. 476—An Act making an appropriation to pay the County of Alameda for the support of orphans, half-orphans, and abandoned children during the half year ending June 30, 1898.

Read first time, and referred to Committee on Claims.

THIRD READING OF BILL.

Assembly Bill No. 690—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 fiftieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Chandler, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Chiles, Collins, Cromwell, Dunlap, Foster, Guilfoyle, Haley, Hanen, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Levison, Macbeth, Mattos, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—46.

NOES—None

Title read and approved.

WITHDRAWAL OF BILL.

Mr. Carter moved that Senate Bill No. 108 be recalled from Committee on County and Township Governments, and ordered on file (it being identical with Assembly Bill No. 278), and Assembly Bill No. 278 be withdrawn.

So ordered.

RECESS.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Johnson, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—report that we have met a like committee of the Senate, consisting of Senators Leavitt, Smith, and Taylor, and we report that the conference committee cannot agree without suggesting amendments, and request the appointment of a free conference committee.

H. W. BROWN,
Chairman of Committee of Conference of Assembly.

Report adopted.

APPOINTMENT OF COMMITTEE OF FREE CONFERENCE.

In accordance with above request, the Speaker appointed Messrs. Brown of San Mateo, Dunlap, and Sheridan as a committee of free conference concerning Senate Bill No 115.

SENATE SPECIAL FILE.

Senate Bill No. 582—An Act making an appropriation for the propagation of steelhead trout in Humboldt County.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Cromwell, Dunlap, Evatt, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, James, Johnson, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Radcliff, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 366—An Act to authorize suit against the State concerning real property, and regulating the procedure therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, James, Kincaid, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 116—An Act to amend the Penal Code by adding a new section to Title VIII, Chapter X thereof, to be known as 258, defining and providing a penalty for the crime of slander.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Berry, Broughton, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, and Mr Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 231—An Act to amend Section 412 of the Code of Civil Procedure, relating to service of summons by publication, and the taking of affidavits to be used in procuring the order for publication of summons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Clarke, Cromwell, Dunlap, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Ray, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, Wright, and Mr. Speaker—48

NOES—None

Title read and approved.

Senate Bill No. 541—An Act making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Carter, Chandler, Chiles, Clarke, Collins, Dunlap, Foster, Franklin, Gans, Greer, Haley, Hanen, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Walker, Williams, Wright, and Mr. Speaker—50

NOES—None

Title read and approved.

LEAVE OF ABSENCE.

Messrs. Evatt and Hourigan were granted leave of absence for the day.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 540—An Act making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—65

NOES—None.

Title read and approved.

Substitute for Senate Bill No. 167—An Act making an appropriation for the erection in the State burial plot at Sacramento of monuments or headstones at the graves of Hon. E. G. Waite, late Secretary of State; Hon. Levi Rackliffe, late State Treasurer; Hon. Dana Perkins, late State Librarian; Hon. Thomas A. Springer, late State Printer, and Hon. Barnabas Collins, late Assemblyman from the Seventh Assembly District.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Clarke, Collins, Cowan, Cromwell, Dunlap, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Irving, James Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Ralston, Ray, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—49.

NOES—None

Title read and approved.

Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School at San Diego, and making an appropriation therefor.

Read second time.

Mr. Barnes moved that the Assembly resolve itself into a Committee

of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 260.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 260 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School at San Diego, and making an appropriation therefor—and do now report the same back, and recommend that it do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 260 ordered to third reading.

Senate Bill No. 436—An Act to amend an Act entitled "An Act authorizing the common council, board of trustees, or 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," approved March 9, 1897, by amending Sections 1 and 3 thereof, relating to the refunding of indebtedness of incorporated cities or towns, the issue of bonds therefor, the levy of tax for payment thereof, and the disposition of moneys raised thereby.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Collins, Dunlap, Foster, Greer, Guilfoyle, Haley, Hanen, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Reeber, Rutherford, Savage, Schilig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—45.

NOES—None

Title read and approved.

SECOND READING OF BILL—(OUT OF ORDER).

Mr. Sutro asked for and was granted unanimous consent to have Senate Bill No. 277 taken up for consideration.

So ordered.

Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Read second time, and ordered to third reading.

ASSEMBLY CONCURRENT RESOLUTION No. 9.

Relative to the consent of the Legislature to absence from the State for a period not to exceed two months.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California has consented, and does hereby consent, that Hon. Cornelius W. Pendleton, Speaker of the Assembly, thirty-fourth session, may depart from the State of California at any time during the remainder of his official term, and remain absent for a period not to exceed two months from and immediately succeeding the time of his departure.

Read and adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMISSIONS AND PUBLIC EXPENDITURES

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: Your Committee on Commissions and Public Expenditures, to whom was referred Assembly Bill No 654—An Act authorizing the State Treasurer to appoint one additional clerk in his office in addition to the number now allowed by law, and fixing the compensation of said clerk—have had the same under consideration, and respectfully report the same back, and recommend that author be permitted to withdraw the same

BLISS, Chairman.

Assembly Bill No. 654 withdrawn by author.

BILL ORDERED ON FILE.

Mr. Foster moved that Senate Bill No. 310 be ordered on Senate special file without reference to committee, it being identical with Assembly Bill No. 736.

So ordered.

Assembly Bill No. 736 withdrawn by author.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 279—An Act making an appropriation to pay the claim of Fred B. Blakeley, for the arrest of Ygnacio Eisler for attempted highway robbery.

Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

And were presented to the Governor this day at two o'clock and twenty minutes P. M.

Also: That the following bill has been correctly reengrossed:

Assembly Bill No. 586—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.

FRANKLIN, Chairman.

SPECIAL ORDER.

Assembly Bill No. 586 (Committee Substitute for Assembly Bill No. 242)—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.

The question being on the final passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result, Mr. Broughton moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—59

Mr. Broughton moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chiles, Dunlap, Foster, Franklin, Gans, Gulfoyle, Haley, Hanen, Hubbard, James, Johnson, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Merritt, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schilling, Simpson, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—43.

NOES—Messrs Anderson of Solano, Anderson of Santa Clara, Bennink, Collins, Cromwell, Duryea, Greer, Kelley, Kincaid, Knowland, Melick, Milice, Stewart of San Diego, Stewart of Amador, and Wright—15.

Title read and approved.

At four o'clock P. M., the Speaker called Mr. Dunlap to the chair.

SECOND READING OF BILL—(OUT OF ORDER).

Mr. Macbeth moved that Assembly Bill No. 793 be taken up for consideration.

So ordered.

Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

Read second time.

The following committee amendments were submitted:

Amend by striking out the word "practicable," in line nine, page three, Section 1359, printed bill, and inserting in lieu thereof the word "applicable."

Amendment adopted.

Also:

Amend by inserting the words "for each participating political party" after the word "ballots," in line fourteen, page three, Section 1354, printed bill.

Amendment adopted.

Also:

Amend by striking out the words "Act and" after the word "this," in line twenty-four, page four, Section 1360 of the printed bill.

Amendment adopted.

Also:

Amend by inserting the word "the" after the word "to," in line twenty-six, page four, Section 1360, printed bill.

Amendment adopted.

Also:

Amend by striking out the word "sued" after the word "be," in line twelve, page four, printed bill, and inserting in lieu thereof the word "used."

Amendment adopted.

Also:

Amend by inserting after the word "county," in line ninety-two, page six, printed bill, the word "city."

Amendment adopted.

Also:

Amend by striking out the word "be" after the word "must," in line one hundred and twenty-two, page seven of the printed bill.

Amendment adopted.

Also:

Amend by inserting the word "city" after the word "county," in line ten, page seven, printed bill, and before the word "or."

Amendment adopted.

Also:

Amend by inserting the word "city" after the word "county," and before the word "or," in line twelve, page seven, printed bill.

Amendment adopted.

Also:

Amend by striking out the word "Republican" in line fifty-four, page eleven, printed bill, and inserting in lieu thereof the following: "(Insert name of party)."

Amendment adopted.

Also:

Amend by striking out the word "than" in line sixty-five, page twelve, printed bill, and inserting in lieu thereof the word "then."

Amendment adopted.

Also:

Amend by striking out the word "Republican" in line sixty-six, page twelve, printed bill, and inserting in lieu thereof the following: "(Insert name of party)."

Amendment adopted.

Also:

Amend by striking out the word "Republican," in line sixty-seven, page twelve, printed bill, and inserting in lieu thereof the following: "(Insert name of party)."

Amendment adopted.

Also:

Amend by striking out the word "Republican," in line seventy-seven, page twelve, printed bill, and inserting in lieu thereof the following: "(Insert name of party)."

Amendment adopted.

Also:

Amend by inserting the word "city," before the word "county," first appearing in line seventy-seven, page twelve, printed bill.

Amendment adopted.

Also:

Amend by striking out the words "after writing," in Section 1367, line three, page thirteen, printed bill, and inserting in lieu thereof the words "shall write."

Amendment adopted.

Also:

Amend by striking out the word "having," in Section 1367, line four, page thirteen, printed bill, and inserting in lieu thereof the words "shall have."

Amendment adopted.

Also:

Amend by inserting the words "and he" after the word "law," in Section 1367, line five, page thirteen, printed bill.

Amendment adopted.

Also:

Amend by striking out the word "general" after the word "ensuing," in Section 1367, line fourteen, page thirteen, printed bill.

Amendment adopted.

Also:

Amend by inserting after the word "oath," in Section 1367, line sixteen, page thirteen, printed bill, the words "or affirmation."

Amendment adopted.

Also:

Amend by inserting after the word "are," in Section 1367, line eighteen, page thirteen, the words "to be."

Amendment adopted.

Also:

Amend by inserting after the word "overruled," in Section 1367, line twenty-one, page thirteen, printed bill, the words "or withdraws."

Amendment adopted.

Also:

Amend by striking out the word "Act," in Section 1372, line one, page fifteen, printed bill, and inserting in lieu thereof the word "chapter."

Amendment adopted.

Also:

Amend by striking out the word "Act," in Section 1372, line five, page fifteen, printed bill, and inserting in lieu thereof the word "chapter."

Amendment adopted.

Also:

Amend by striking out the word "Act" in line thirty-seven, page sixteen, printed bill, and inserting in lieu thereof the word "chapter"

Amendment adopted.

Also:

Amend by striking out all of line thirty-eight after the word "after," and also all of lines thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, forty-five, forty-six, forty-seven, forty-eight, and that portion of line forty-nine to and including the word "effect" where it first occurs on page sixteen, printed bill, and inserting in lieu thereof the following: "a majority vote therefor by the electors of such city, or city and county, or county, or political subdivision of lesser population, at a general or special election, at which the question shall have been submitted in manner as follows: when a petition signed by electors of such city, city and county, county, or political subdivision of lesser population in number equal to one half of the total vote cast in such city, city and county, county, or political subdivision of lesser population at the last preceding general election, is filed with the legislative body or council of a city, in case such election is to be held in such city, or in other cases with the Board of Supervisors of the county wherein such election is to be held, asking that such question be submitted to a vote of such electors, the said legislative body, council, or Board of Supervisors shall by proclamation *submit such question to the vote of such electors at the next general election; provided*, that if it be demanded in such petition that the question be submitted at a special election, it shall be so submitted, and such special election shall be held within thirty days after the first regular meeting of such legislative body, council, or Board of Supervisors, after the filing of such petition. The ballots used at such general or special election shall contain the words 'For the Primary Law,' and 'Against the Primary Law.' Such elections shall be conducted, and the notices thereof shall be given, and the returns canvassed in all respects as provided by law for the conducting of general elections, and canvassing the returns thereof. In case a majority of the votes cast at such election on such question shall be for the primary law, the provisions of this chapter shall take effect."

Amendment adopted.

Also:

Amend by striking out all that portion of line fifty-two, page sixteen, printed bill, after the word "similar"; also, all of lines fifty-three and fifty-four, same page, and by inserting in lieu thereof the word "vote."

Amendment adopted.

Also:

Amend by striking out the word "Act," in line fifty-five, page sixteen, printed bill, and inserting in lieu thereof the word "chapter."

Amendment adopted.

Also:

Amend by striking out the words "decision and declaration," in line fifty-six, page sixteen, printed bill, and inserting in lieu thereof the word "vote."

Amendment adopted.

Also:

Amend by striking out the words "decision and declaration," in line fifty-eight, page sixteen, printed bill, and inserting in lieu thereof the word "vote."

Amendment adopted.

Also:

Amend by inserting the words "and four" after the word "hundred," in Section 1373, line one, page seventeen, printed bill.

Amendment adopted.

Also:

Amend by striking out the words "official primary law is," in lines three and four, page seventeen, Section 1373, printed bill, and inserting in lieu thereof the following: "provisions of this chapter are."

Amendment adopted.

Also:

Amend by striking out the words "a convention," line five, page seventeen, printed bill, Section 1373, and inserting in lieu thereof the words "State and district conventions."

Amendment adopted.

Also:

Amend by striking out the words "with this chapter," Section 1373, line seven, page seventeen, printed bill, and inserting in lieu thereof the word "therewith"

Amendment adopted.

Also:

Amend by striking out the words "all the," Section 1373, line eight, page seventeen, printed bill, and inserting in lieu thereof the words "of said"

Amendment adopted.

Also:

Amend by striking out the words "of this chapter," in same line.

Amendment adopted.

Also:

Amend by striking out of lines one, two, three, four, five, six, seven, eight, nine, and ten, Section 1374, page seventeen, printed bill, and inserting in lieu thereof the following:

"Section 1374 Wherever the provisions of this chapter are in force and effect, the ballots for the respective political parties cast at the primary election must after being counted be sealed in separate envelopes in the manner provided for sealing and certifying ballots at general elections, and each such package must have written or printed thereon plainly the designation of the political party and the number of the primary precinct where the same were cast. Such ballots must not be destroyed until after the adjournment of the political convention for which delegates were elected by such ballots If there shall be a contest before any political convention and the contestant shall have in writing charged that the ballots in a designated precinct or precincts were not correctly counted, and that a recount thereof would show the election of the contestant as a delegate, then any committee to which such convention has referred such contest shall have power to issue a subpœna directed to the election commissioners or body having charge and custody of such ballots, or to the chairman or clerk, secretary, or registrar of voters thereof, commanding such person or persons to forthwith produce the envelopes containing the ballots for such party cast in the precinct or

precincts designated in such subpœna, and if such subpœna shall be accompanied by a tender of the witness and mileage fees allowed by law in civil actions, the person or persons to whom such subpœna is directed must forthwith take such ballots so sealed before such committee, or send the same so sealed by some person named over his signature as the bearer thereof, who shall forthwith take such ballots sealed before such committee. Such subpœna may be served by telegraphic copy, telegraphed by the chairman or secretary of such committee, and any person disobeying such subpœna shall, upon the application of such committee to the Superior Court of the county where such subpœna was properly served, be cited by said court to show cause why he should not be punished for contempt of such committee, and if he be found guilty of such disobedience he may be punished for such contempt by such court in the same manner as provided for punishment for contempt for disobedience to a subpœna in a civil action. If when such ballots are produced before such committee it shall resolve that the same be recounted, it may order the seal to be broken and may recount such ballots for any precinct, and declare the result thereof, and report the same to such convention, and such ballots be re-enclosed in the envelope from which they were taken, and be returned to the place from which they came."

Amendment adopted.

Also:

Amend by striking out all of Section 1375, on page seventeen, printed bill, all of pages eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, and twenty-four, printed bill, and inserting in lieu thereof the following:

"Section 1375. If any delegate elected under the provisions of this chapter shall die before the convention to which he was elected convenes, then the other delegates thereto who were voted for in the same territory as such deceased delegate shall have power to determine by a majority vote which of such delegates may cast an additional vote in such convention, and thereupon the delegate so named may cast such additional vote in such convention If any delegate elected under the provisions of this chapter shall by reason of sickness or other cause be unable to attend the convention to which he was so elected, he shall be entitled to designate another delegate elected to such convention who was voted for in the same territory as himself at such primary election as his proxy Such proxy must be in writing, and signed and acknowledged in the manner required for a conveyance of real property, and thereupon the delegate named in such proxy and no other may cast in such convention the vote of the delegate so giving the same; but the manner of appointment and voting of proxies by delegates selected in territory where the provisions of this chapter are not mandatory or in force or effect, shall be subject to the rules made by the convention.

"SEC. 2. The provisions of this Act shall take effect immediately."

Amendment adopted.

Also:

Amend the title to said printed bill by striking out after the figures 1375 on page one thereof the following: "and by amending Sections 1186, 1187, and 1188 of said Political Code," also "political conventions, nominations, and political committees."

Amendment adopted.

Assembly Bill No. 793 ordered to print with a "rush" order, pending amendments.

At four o'clock and twenty minutes P. M., the Speaker resumed the chair.

MOTIONS TO INTRODUCE BILLS.

The Chairman of Committee on Ways and Means moved that permission be granted by the Assembly to introduce the accompanying bill—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases, and to manage said California Redwood Park.

Referred to Committee on Introduction of Bills.

Mr. Fisk moved that permission be granted by the Assembly to introduce the accompanying bill—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same, with the recommendation that the authors be permitted to introduce them:

Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases, and to manage said California Redwood Park.

Also: Assembly Bill No 874—An Act to amend Section 128, establishing a uniform system of county and township governments, approved April 1, 1897.

Also: Assembly Bill No 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

RALSTON, Chairman.

Mr. Fisk asked division of question.

So ordered.

The roll was called, and the report permitting introduction of Assembly Bill No. 873 adopted by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, John, Kelley, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—55.

NOES—Messrs. Greer, Kincaid, and Roberts—3.

The roll was called, and the report recommending the introduction of Assembly Bills No. 874 and 875 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr Speaker—57.

NOES—None.

INTRODUCTION AND REFERENCE OF BILLS.

The following bills were introduced, read first time, and referred to committees as follows:

By Ways and Means Committee: Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park.

Read first time, and ordered placed on file.

By Mr. Hubbard: Assembly Bill No. 874—An Act to amend the "County Government Act."

Read first time, and referred to Committee on County and Township Governments.

By Ways and Means Committee: Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Read first time.

Mr. Fisk moved that Assembly Bill No. 875 be placed at head of the special file.

So ordered.

RECESS.

At four o'clock and forty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

CALL OF THE HOUSE.

Mr. James moved a call of the House.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Berry, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Clarke, Cromwell, Dunlap, Feliz, Fisk, Guilfoyle, Haley, Hanen, Hasson, Henry, Irving, James, Johnson, John, Kincaid, Macbeth, Mattos, McNeil, Milice, Myers, Radcliff, Ray, Rutherford, Savage, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—44.

Mr. James moved that further proceedings under call of the House be dispensed with.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 740—An Act to regulate the practice of architecture—report the same back, with the recommendation that it do pass.

JOHNSON, Chairman.

SECOND-READING FILE—(RESUMED).

Mr. Broughton moved that the rules be suspended, and that Assembly Bill No. 740 be now given second reading.

So ordered.

Assembly Bill No. 740—An Act to regulate the practice of architecture.

Read second time, ordered engrossed and to third reading.

Mr. Brown of San Mateo moved that Assembly Bill No. 178 (434 on file) and Assembly Bill No. 637 (106 on file) be transposed on file.

So ordered.

Assembly Bill No. 178—An Act to enable steam-railroad companies to complete their railroads, and authorizing the construction of railroads.

Read second time, ordered to engrossment and third reading.

Assembly Bill No 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "thirty-five" after the words "district attorney," in line thirty-three, second page, printed bill, and inserting in lieu thereof the word "twenty-five."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the "period," in line forty-one, second page, printed bill, and inserting in lieu thereof a comma, and adding the following: "and that his office shall be kept open on all business days."

Amendment adopted.

Assembly Bill No. 652 ordered to print, engrossment, and third reading.

Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor.

Read second time.

Mr. Wright 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. 615.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 615 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of the Agnews State Hospital, and appropriating money therefor.

The following committee amendments were submitted:

Amend by striking out the words "July first, nineteen hundred and one," in line two, Section 3, first page, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred and two."

Amendment adopted.

Also:

Amend by striking out the words "to wit" in the enacting clause.

Amendment adopted.

Also:

Amend Section 1, line one, of printed bill, by changing the words "five thousand" to read "two thousand five hundred."

Amendment lost.

Also:

Amend same Section 1, line one, by changing the figures "$5,000" to read "$2,500"

Amendment lost.

Assembly Bill No. 615 ordered to print, engrossment, and third reading.

REPORT OF STANDING COMMITTEE— (OUT OF ORDER).

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No. 805—An Act for the payment of the fees due to trial jurors who have served as such in Superior Court of the City and County of San Francisco, under the Act of 1895—report the same back, with the recommendation that it do pass.

Also: Reëngrossed Committee Substitute for Senate Bills Nos. 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps, etc."

Also: Assembly Bill No. 602—An Act to encourage the destruction of coyotes, to provide a bounty on coyote scalps, and to make an appropriation therefor.

Report the same back, with the recommendation that they do pass, and that they be referred to the Committee on Ways and Means.

Also: Assembly Bill No. 857—An Act to add Section 2757 to the Civil Code of the State of California—and report the same back, by a majority vote, that it do pass.

JOHNSON, Chairman.

MOTION.

Mr. Fisk moved that Assembly Bill No. 875 be sent to print as "rush" order.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 557—An Act concerning the erection of poles, with wires thereon, and laying conduits, cables, and wires in the streets of cities and towns for telephonic and telephone-telegraphic services to the inhabitants of such cities or towns, and the use of such streets for such services by individuals and domestic corporations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 661—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following amendments were offered by Mr. Clarke:

Amend by striking out all of subdivision two, Section 187, and inserting the following: "2. The sheriff, four thousand five hundred dollars per annum."

Amendment adopted.

Also:

Amend by striking out of subdivision fifteen, Section 187, lines one hundred and eleven and one hundred and twelve, the words "one hundred and fifty dollars per annum," and inserting in lieu thereof the words "three hundred dollars per annum."

Amendment adopted.

Assembly Bill No. 661 ordered to print, engrossment, and third reading.

Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi against the State of California.

Read second time.

Mr. Mattos 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. 526.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 526 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi against the State of California—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi against the State of California.

Mr. Mattos moved to amend Assembly Bill No. 526 as follows:

Strike out all of Section 2 and insert therein as follows:

"SEC. 2. This Act shall take effect, and be payable on and after January second, nineteen hundred and two."

Amendment adopted.

By the committee:

Amend by striking out "Louis," in title of printed bill, and inserting in lieu thereof "Louisa."

Amendment adopted.

Assembly Bill No. 526 ordered to print, engrossment, and third reading.

Assembly Bill No. 353—An Act to carry into effect Section 19 of Article XI of the Constitution of this State; to prevent monopoly, and secure to the inhabitants of any city or town the benefits of free competition in gas and electric service; and to prevent unreasonable or excessive rates, or discriminations therein.

Read second time.

The following amendments were submitted by Mr. James:

Amend by striking out in line thirteen, printed bill, the words "all uses," and inserting the words "lighting and heating."

Amendment adopted.

Also:

Amend by striking out of Section 2, line one, printed bill, the words "each such," and inserting the words "the same."

Amendment adopted.

Also:

Amend by striking out of Section 2, line two, printed bill, the word "for," and inserting the word "furnishing."

Amendment adopted.

Also:

Amend Section 2, line two, printed bill, by inserting the following after the word "electricity," to wit: "to the inhabitants of any city or town for lighting or heating"

Amendment adopted.

Also:

Amend Section 2, line three, printed bill, by inserting the following after the word "service," to wit: "and under like conditions"

Amendment adopted.

Also:

Amend Section 2, line four, printed bill, by inserting the following after the word "made," to wit: "by the same person, company, or corporation."

Amendment adopted.

Also:

Amend by striking out of Section 2, lines five and six, printed bill, the words "or between persons or corporations or," and also by striking out the comma preceding these words in line five, and inserting the words "in similar."

Amendment adopted.

Also:

Amend by striking out of Section 2, line seven, printed bill, the word "uniformally"

Amendment adopted.

Also:

Amend by striking out all of Section 3 of the printed bill, and inserting in lieu thereof the following:

"SEC. 3. The city council, or other legislative body of any city or town, is hereby authorized and empowered, by ordinance at such times as it may see fit, but not oftener than once a year, to regulate the sale and use of gas and electricity for lighting and heating, and so to fix and determine the rates of charge therefor in their different uses and under the different condition of service, as to prevent unreasonable or excessive rates or violations of the provisions of Section 2 hereof, and to regulate the rent of gas and electric meters, and to provide for and regulate the inspection thereof"

Amendment adopted.

Also:

Amend by striking out of the title of printed bill the words "and to prevent unreasonable or excessive rates or discriminations therein," and inserting the following in lieu thereof, to wit: "to enable the legislative body of any city or town to regulate the rates of charge therefor, to prevent discriminations, and to provide penalties for violations thereof"

Amendment adopted.

Assembly Bill No. 353 ordered to print, engrossment, and third reading.

Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for the same, and repealing conflicting Acts.

Read second time.

Mr. Treadwell 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. 597.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 597 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for the same, and repealing conflicting Acts—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts.

The following committee amendments were submitted:

Amend by striking out the words "twenty-five" in line two, Section 2, first page, printed bill, and inserting in lieu thereof the word "fifty."

Amendment adopted.

Also:

Amend by striking out the word "ten," in line three, Section 2, first page, printed bill, and inserting in lieu thereof the word "twenty."

Amendment adopted.

Also:

Amend by striking out the word "five," in line eleven, Section 2, second page, printed bill, and inserting in lieu thereof the word "twenty."

Amendment adopted.

Also:

Amend by adding a new line, number seventeen, Section 2, second page, printed bill, as follows: "To each high school in the State, one copy"

Amendment adopted.

Assembly Bill No. 597 ordered to print, engrossment, and third reading.

At eight o'clock and twenty minutes P. M., the Speaker called Mr. Anderson of Solano to the chair.

Mr. James moved that Assembly Bill No. 778 (Committee Substitute for Assembly Bill No. 589) (118 on file) and Assembly Bill No. 779 (Committee Substitute for Assembly Bill No. 215 and Assembly Bill No. 582) be transposed on the file, and further moved to pass same on file.

So ordered.

Assembly Bill No. 716—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection, which has heretofore been or which may hereafter be authorized by said United States to be paid to said State as reimbursement for any expenses or advances made by said State to said Government of the United States in the suppression of said insurrection in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Read second time.

The following committee amendment was submitted:

Amend Assembly Bill No. 330 by striking out from the printed bill all of Section 485.

Amendment adopted.

Assembly Bill No. 330 ordered to print, engrossment, and third reading.

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Read second time, ordered to engrossment and third reading.

Assembly Constitutional Amendment No. 15 was ordered restored to its place on special file.

So ordered.

Assembly Bill No. 85—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

Read second time.

Mr. Treadwell moved to pass on file, pending amendments.

Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War.

Read second time.

Mr. Walker moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 238.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 238 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War—and do now report the same back with amendments, and recommend that the same do pass as amended.

A ANDERSON, Chairman

Report adopted.

Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses, indigent widows, wives, mothers, and

dependent daughters and sisters of Union veterans who served honorably in the Civil War.

The following committee amendments were submitted:

Amend by inserting after the word "repairs," in line one, Section 2, first page, printed bill, the words "and improvements."

Amendment adopted.

Also:

Amend by inserting after the word "repairs," in line three, Section 1, first page, printed bill, the words "and improvements."

Amendment adopted.

Also:

Amend by striking out the words "three thousand," in line one, Section 1, first page, printed bill, and inserting in lieu thereof the words "fifteen hundred."

Amendment adopted.

Also:

Amend Section 1, line one, of printed bill, by changing the words "three thousand" to read: "fifteen hundred"

Amendment adopted.

Also:

Amend title, by inserting the words "and improvements" after the word "repairs," on line two of the printed bill.

Amendment adopted.

Also:

Amend Section 3 to read: "This Act shall take effect January first, nineteen hundred and two."

Amendment adopted.

Also:

Amend Section 1, line three of printed bill, by inserting after the word "repairs" the words "and improvements"

Amendment adopted.

Also:

Amend Section 2, line one of printed bill, by inserting after the word "repairs" the words "and improvements"

Amendment adopted.

Assembly Bill No. 238 ordered to print, engrossment, and third reading.

THIRD READING OF BILLS.

Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens and regulating the provisions to be contained in building contracts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Cowan, Cromwell, Dunlap, Duryea, Feliz, Gans, Guilfoyle, Haley, Hanen, Henry, James, John, Levinson, Macbeth, McNeil, Melick, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—43.

NOES—Messrs Johnson, Kincaid, and Knowland—3.

Title read and approved.

Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class.

Read third time.

Mr. Bennink moved that a select committee of one be appointed to amend Assembly Bill No. 363 as follows:

Strike out all of Section 18 of the printed bill and insert in lieu thereof the following:

"18. To establish fire limits, and the same to alter at pleasure; to regulate or prevent the erection of wooden or other buildings or structures of combustible materials; to regulate the construction of all buildings, sheds, awnings, signs, or any structure of a dangerous or unsafe character, to provide, by regulation, for the prevention and summary removal of all filth and garbage in the streets, sloughs, alleys, back-yards, or public grounds of such city, or elsewhere therein; to regulate or prohibit the storage of gunpowder and combustible or explosive materials of every kind and nature within the city limits, and to prescribe the limits in which the same may be kept or stored."

Motion carried, and so ordered.

Mr. Bennink was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BENNINK, Committee.

Report and amendment adopted.

Assembly Bill No. 363 ordered to print, reëngrossment, and on file for final action.

Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway, commencing at a point in Contra Costa County at or near the residence of W. H. Buckley, on the Fish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County; creating the Alameda-Contra Costa Highway Fund, prescribing the duties of the various officers in connection therewith, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Irish, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—60.

NOES—None

Title read and approved.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901

MR. SPEAKER: Your committee of free conference concerning Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—report that we have met a like committee of the Senate, consisting of Senators Leavitt, Taylor, and Smith, and we report that the free conference committee agreed upon and recommend that said bill be amended as follows:

Strike out Section 13 thereof, and insert in lieu thereof the following:

"SEC. 13. Any ordinance establishing a library adopted under the provisions of section one of this Act may be repealed by the body which adopted the same upon

being requested to do so by one fourth of the electors of such municipal corporations in the manner provided in section two of this Act, and upon the repeal of such ordinance such library shall be disestablished in such municipal corporations.

"SEC. 14. This Act shall take effect immediately."

H. W. BROWN (Chairman)
F. E DUNLAP.
T. J. SHERIDAN

Report of committee of free conference ordered printed in Journal, and made special order for to-morrow morning, immediately after reading of Journal.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the Home of the "Industrial Home of Mechanical Trades for the Adult Blind."

Read second time.

Mr. Bliss moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 272.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 272 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN The Committee of the Whole have had under consideration Assembly Bill No 272—An Act making an appropriation for the erection of a workshop at the Home of the "Industrial Home of Mechanical Trades for the Adult Blind"—and do now report the same back with amendments, and recommend that the same do pass as amended

A. ANDERSON, Chairman

Report adopted.

Assembly Bill No. 272- An Act making an appropriation for the erection of a workshop at the Home of the "Industrial Home of Mechanical Trades for the Adult Blind."

The following committee amendment was submitted

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the following. "from and after January first, nineteen hundred and two"

Assembly Bill No. 272 ordered to print, engrossment, and third reading.

Assembly Bill No. 702—An Act to amend Sections 3462 and 3463 of the Political Code.

Read second time.

Mr. Johnson moved to amend Assembly Bill No. 702 as follows:

After the word "assessment," in line twenty-one of Section 1 of the printed bill, insert as follows: "*provided*, that said Board of Supervisors shall not act upon such an assessment after such objection is made until after two thirds of the land owners in said district voting as upon the election of trustees shall have approved said assessment"

Amendment adopted.

Assembly Bill No. 702 ordered to print, engrossment, and third reading.

Mr. Broughton moved to transpose on file Assembly Bill No. 606 (311 on file) and Assembly Bill No. 726 (130 on file).

So ordered.

Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

Read second time.

Mr. Broughton moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Anderson of Solano in the chair, for the purpose of considering Assembly Bill No. 606.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Anderson of Solano in the chair.

Assembly Bill No. 606 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Anderson of Solano in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year—and do now report the same back, and recommend that the same do pass.

A. ANDERSON, Chairman.

Report adopted.

Assembly Bill No. 606 ordered to engrossment and third reading.

Assembly Bill No. 416—An Act to create and regulate public warehouses.

Read second time.

The following committee amendments were submitted:

Amend by striking out the words "and other classes," Section 2, in line twelve, first page, printed bill, and inserting in lieu thereof the word "class."

Amendment lost.

Also:

Amend by inserting after the word "second," Section 2, in line thirteen, second page, printed bill, the word "and."

Amendment lost.

Also:

Amend by striking out the words "and other classes," Section 2, in line thirteen, second page, printed bill, and inserting in lieu thereof the word "class."

Amendment lost.

Also:

Amend by inserting after the word "dollars," Section 2, in line fourteen, second page, printed bill, the following: "and in all cities and counties of the fourth and other classes five thousand ($5,000) dollars."

Amendment lost.

Also:

Amend by striking out the word "fourth," Section 4, in line eight, third page, printed bill, and inserting in lieu thereof the word "eighth."

Amendment lost.

Also:

Amend by inserting after the word "bond," Section 4, in line nine, third page, printed bill, the following: "for the safe custody of goods as required by law."

Amendment lost.

Mr. Knowland moved to amend Assembly Bill No. 416 as follows:

By striking out of Section 2, line ten, the words "one hundred thousand," and all of lines eleven, twelve, and thirteen, and line fourteen to and including the word "dollars," and inserting in lieu thereof the following: "twenty-five thousand dollars, in all cities of the second class ten thousand dollars, in all cities of the third class and in all counties of the second and third class five thousand dollars, and in all cities and in all counties of the fourth and other classes twenty-five hundred dollars."

Amendment adopted.

Also:

By striking out of Section 2, line thirty-six, the word "such," and all the words following to and including the word "days," in line thirty-nine, and inserting the following: "notice of such lease, sale, or assignment shall have been given by publication at least once a week for four successive weeks in some newspaper of general circulation in the county where such warehouse is situated, or in the nearest county where a newspaper is published, if there be none in the county where such warehouse is situated and if said depositor shall allow his goods to remain in said warehouse after said publication."

Amendment adopted.

Also:

Amend by striking out Section 4.

Amendment adopted.

Assembly Bill No. 416 ordered to print, engrossment, and third reading.

Assembly Bill No. 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing of sheep.

Read second time.

The following committee amendment was submitted:

Amend by striking out the word "three" in line one, also the word "three" in line seven, first page, printed bill, and inserting in lieu thereof the word "four."

Amendment adopted.

Assembly Bill No. 402 ordered to print, engrossment, and third reading.

Mr. Haley moved that Assembly Bill No. 29 and Assembly Bill No. 216 be transposed on file.

So ordered.

Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

Read third time.

Mr. Ray moved that a select committee of one be appointed to amend Assembly Bill No. 216 as follows:

Amend by inserting the enacting clause, as follows:

"The people of the State of California, represented in Senate and Assembly, do enact as follows:"

Motion carried, and so ordered.

Mr. Ray was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

RAY, Committee

Report and amendment adopted.

Assembly Bill No. 216 ordered to print, reëngrossment, and on file for final action.

Mr. Irish moved that Assembly Bill No. 164 be taken up for consideration and placed on the urgency file.

So ordered.

Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Williams, and Wright—54.

NOES—None.

Title read and approved.

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890.

Read third time.

Mr. Myers moved that a select committee of one be appointed to amend Assembly Bill No. 61 as follows:

Amend by adding the word "one" after the word "ninety" in title

Also: Amend by adding in Section 1, line three, the word "one" after "ninety."

Also: Amend by striking out of Section 1890, line five, the figure "0," and inserting the figure "1."

Motion carried, and so ordered.

Mr. Myers was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MYERS, Committee

Report and amendments adopted.

Assembly Bill No. 61 ordered to print, reengrossment, and on file for final passage.

Mr. Stewart of San Diego moved that Assembly Bill No. 801 (456 on file) and Assembly Bill No. 389 (138 on file) be transposed on file.

So ordered.

Assembly Bill No. 801—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following committee amendment was submitted:

Amend by inserting after the word "county," in line thirteen of page one of printed bill, the following: "and the Board of Supervisors shall allow the Sheriff his actual and necessary expenses in serving any civil or criminal process, or performing any other official duty within his county, at a distance by the ordinary route of travel of more than sixty miles from the county seat"

Amendment adopted.

Assembly Bill No. 801 ordered to print, engrossment, and third reading.

Assembly Bill No. 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Read second time, ordered to engrossment and third reading.

Mr. Johnson moved that Assembly Bill No. 599 be placed as file No. 140.

So ordered.

Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "or," in line eight of the printed bill, and insert in lieu thereof the word "and."

Amendment adopted.

AMENDMENT No. 2

Strike out the words "by a," in line eleven of the printed bill, and insert in lieu thereof the words "at the."

Amendment adopted.

AMENDMENT No. 3.

After the words "Attorney-General," in line twelve of the printed bill, insert the words "but the resumption of its business in good faith by such corporation prior to the commencement thereof shall be a bar to such suit"

Amendment adopted.

Mr. Johnson moved to amend Assembly Bill No. 599 as follows:

By adding after the word "Attorney-General," in line eighteen of Section 1 of the printed bill, the words "*provided, however*, as to any company claiming in good faith to be, and which has been doing business for ten consecutive years as a corporation, no such inquiry shall be made either by the State or by any person whatsoever."

Amendment adopted.

Assembly Bill No. 599 ordered to print, engrossment, and third reading.

Mr. Sheridan (by consent of Mr. Haley) moved that Assembly Bill No. 684 (425 on file) be taken up for consideration, and placed on urgency file.

So ordered.

Assembly Bill No. 684—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it was alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee, may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property, or any part thereof, so that the purchaser, incumbrancer, mortgagee, or grantee, or pledger of such property will take, own, and possess such property unaffected by such action and suit, or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment, in said action, upon the said undertaking.

Read second time.

Mr. Sheridan submitted the following as an amendment:

Amend the bill by making it read as follows:

"An Act

"To amend the Code of Civil Procedure of the State of California by adding thereto seven new sections, to be numbered 1060, 1061, 1062, 1062*a*, 1062*b*, 1062*c*, and 1062*d*, to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or tranteree, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property or any such property that the purchaser, incumbrancer, mortgagee, or grantee or pledgee of part thereof, so will take, own, and possess such property unaffected by such action and suit or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertakings; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment, in said action, upon the said undertaking

"*The People of the State of California, represented in Senate and Assembly, do enact as follows:*

"Section 1 The Code of Civil Procedure of the State of California is hereby amended by adding thereto seven new sections, to be numbered 1060, 1061, 1062, 1062*a*, 1062*b*, 1062*c*, and 1062*d*, so as to read as follows:

"1060 Where an action is commenced to set aside a transfer or conveyance of property on the grounds that such transfer or conveyance was made to hinder, delay, or defraud a creditor or creditors, the transferee or grantee, to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors or the successors or assigns of such transferee or grantee, may give an undertaking as provided in this and six sections following, and when such undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors and assigns of such transferee or grantee, may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property, or any part thereof, which is alleged to have been transferred or conveyed to hinder, delay, or defraud creditors, so that the purchaser, incumbrancer, transferee, mortgagee, grantee, or pledgee of such property will take, own, hold, and possess such property unaffected by such action and suit, or the judgment which may be rendered therein.

"1061 Such undertaking, with four sureties, shall be executed by the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors or the successor or assign of such transferee or grantee, in double the estimated value of the property so alleged to have been transferred or conveyed, *provided*, in no case need such undertaking be for a greater sum than double the amount of the debt or liability alleged to be due and owing to the plaintiff in such action commenced to set aside said transfer and conveyance; and where such estimated value of the property alleged so to have been conveyed is less than the sum alleged to be due and owing to the plaintiff in the action, such estimated value shall be stated in the undertaking, and said undertaking shall be conditioned that, if it be adjudged in said action that the transfer or conveyance was made to hinder, delay, or defraud a creditor or creditors, then that the transferee or grantee or the said successor or assigns of such transferee or grantee giving such undertaking, will pay to the plaintiff in said action a sum equal to the value, as the same is estimated in said undertaking, of said property alleged to have been transferred or conveyed to hinder, delay, or defraud creditors, not exceeding the sum alleged to be due and owing to the plaintiff in the action. Said undertaking shall be filed in the action in which said execution issued, and a copy thereof served upon the plaintiff or his attorney in said action.

"1062 Within ten days after service of the copy of undertaking the plaintiff may object to such undertaking on the ground of inability of the sureties, or either of them, to pay the sum for which they become bound in said undertaking, and upon the ground that the estimated value of property therein is less than the market value of such property. Such objection to the undertaking shall be made in writing, specifying the ground or grounds of objection, and if the objection is made to the undertaking that the estimated value therein is less than the market value of the property, such objection shall specify the plaintiff's estimate of the market value of the property. Such written objection shall be served upon the said transferee or grantee, or the successor or assigns of such transferee or grantee giving such undertaking

"1062*a*. When the sureties, or either of them, are objected to, as provided in Section 1062, the surety or sureties so objected to shall justify before the court in which the action is commenced, upon ten days' notice of the time when they will so justify being given to the plaintiff, or plaintiff's attorney Upon the hearing and examination into the sufficiency of a surety, witness may be required to attend and evidence may be procured and introduced in the same manner as in trial of civil cases. Upon such

hearing and examination the court shall make its order in writing, approving or disapproving the sufficiency of the sureties or surety on such undertaking. In case the court disapproves of the surety or sureties on any undertaking, a new undertaking may be filed and served, and to any undertaking given under this or the following section the same objection to the sureties may be made and the same proceedings had as in case of the first undertaking filed and served.

"1062*b* When objection is made to the undertaking upon the ground that the estimated value of the property, as stated in the undertaking, is less than the market value of the property, the transferee or grantee, or the successor or assigns of such transferee or grantee giving the undertaking, may accept the estimated value stated by the plaintiff in said objection, and a new undertaking may be at once filed, with the plaintiff's estimate stated therein as the estimated value, and no objection shall thereafter be made upon that ground; if the plaintiff's estimate of the market value is not accepted the transferee or grantee, or the successor or assigns of the grantee or transferee giving such undertaking, upon ten days' notice to the plaintiff, shall move the court in which the action is pending to estimate the market value of the property, and upon the hearing of such motion witnesses may be required to attend and testify and evidence may be produced in the same manner as in the trial of civil actions Upon the hearing of the motion the court shall estimate the market value of the property, and if the estimated value of the property as made by the court exceeds the estimated value as stated in the undertaking a new undertaking shall be filed and served with the market value so determined by the court stated therein as the estimated value of the property. The sureties shall justify upon the undertaking as required by section 1057 of the Code of Civil Procedure

"1062*c*. The undertaking shall become effective for the purpose in Section 1060 specified ten days after service of copy thereof on the plaintiff, unless objection to such undertaking is made as in Section 1062 provided, and in case objection is so made to any undertaking filed and served the same shall become effective for such purpose when an undertaking is given which is approved by the court upon the hearing of such objection

"1062*d* If judgment be rendered in said action that the alleged transfer or conveyance was made to hinder, delay, or defraud creditors, then judgment shall be rendered in such action without further proceeding in favor of plaintiff and against the principal and sureties on said undertaking for the sum specified in the undertaking as the estimated value of the property therein described. *provided*, in no case shall the judgment exceed the sum alleged and adjudged to be due the plaintiff."

Assembly Bill No. 684 ordered to print, engrossment, and third reading.

THIRD READING OF BILL.

Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Benmnk, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Gulfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, John, Kincaid, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—59.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed

Assembly Bill No. 198—An Act to appropriate $21,000 00 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands, to purchase dairy cows for the use of said hospital

Assembly Bill No. 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton

Assembly Bill No 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations

Assembly Bill No 417—An Act to amend subdivision two of Section 1, Article III, of an Act entitled "An Act establishing an Industrial Home of Mechanical Trades for the Adult Blind of the State of California, creating a board of directors for the government thereof, and appropriating the sum of $65,000 for the support of said home," approved March 17, 1887.

BERRY, Acting Chairman

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Constitutional Amendment No. 14—Proposed amendment to Article II of the Constitution, relative to elections—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

Also: Assembly Bill No 762—An Act to amend Section 1197 of the Political Code, relating to elections—have had the same under consideration, and respectfully report the same back, and recommend that the same do not pass.

Also: Assembly Bill No 646—An Act to add a new section to the Political Code of the State of California, to be numbered 1120, relating to registration.

Also: Assembly Constitutional Amendment No. 1—Proposed amendment to Article II of the Constitution, relating to primary elections

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 738—An Act to amend Section 1197 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

Also: Assembly Bill No. 418—An Act to amend Section 1186 of the Political Code, relating to conventions.

Also: Assembly Bill No. 419—An Act adding sixteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, and 1381, concerning elections and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Also: Assembly Bill No. 121—An Act adding eighteen new sections to the Political Code, to be numbered, consecutively, 1357 to 1374, both inclusive, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections, and repealing all Acts inconsistent therewith, and also repealing Sections 1118 and 1119, and Sections 1357 to 1380, both inclusive, of the Political Code.

Also: Assembly Bill No. 477—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections within this State and in counties and municipalities of certain classes

Also: Assembly Bill No. 162—An Act adding fourteen sections to the Political Code, to be numbered 1357 to 1370, both inclusive, pertaining to primary elections, providing for and regulating the election of delegates thereat to nominating conventions in certain counties and cities, and in the City and County of San Francisco.

Also: Assembly Bill No. 329—An Act adding fourteen sections to the Political Code, to be numbered 1357 to 1370, both inclusive, pertaining to primary elections, providing for and regulating the election of delegates thereat to nominating conventions in certain counties and cities, and the City and County of San Francisco.

Also: Assembly Bill No. 112—An Act to provide for and regulate the nomination of candidates for public elective offices at primary elections by direct vote of electors; to provide the manner, prescribe the rules and regulation of, and give authority for, holding and conducting such elections, establishing election precincts, registering voters, appointing primary election officers, preparing and printing primary election ballots, canvassing the votes, making, ascertaining, and declaring the result, and paying the expenses thereof; to repeal Sections 1186 to 1190, both inclusive, Sections 1192 and 1193, and Sections 1357 to 1380, both inclusive, of the Political Code of this State, and to add new sections to said code, to be numbered 1357 to 1373, both inclusive.

Also: Assembly Bill No. 714—An Act concerning and providing for primary elections, and the time and manner of holding the same, and providing for the election of delegates to conventions of political parties, at elections to be known and designated as primary elections, prescribing the qualifications of voters thereat, specifying where and when this Act shall be in force, and the procedure thereunder, and also prescribing penalties for violations thereof, and repealing all Acts inconsistent therewith, also repealing Sections 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, and 1380 of the Political Code.

Also: Assembly Bill No. 713—An Act providing for primary elections, and the time and manner of holding the same, wherever the Act known and designated as "The Primary Law of 1901" is not in force.

Also: Assembly Bill No. 573—An Act adding fifteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375,

1376, 1377, 1378, 1379, and 1380, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections, within counties and municipal corporations of the first, second, third, fourth, fifth, sixth classes and in any consolidated city and county within this State

Have had the same under consideration, and respectfully report the same back, and recommend that the authors withdraw the same.

MACBETH, Chairman.

ADJOURNMENT.

At ten o'clock P. M., Mr. Anderson of Solano, acting Speaker, declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 1, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Irish, James, Johnson, John, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—59.

Quorum present.

LEAVE OF ABSENCE.

Mr. Hubbard was granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Treadwell, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, February 27, 1901, was read, corrected, and approved.

PETITION.

Mr. Stewart of Amador presented the following petition:

To the HON. FRED L. STEWART, *Assemblyman representing Assembly District No. 15*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector. To pass such a measure, irrespective of the sentiments of these several com-

munities on the question of license or no license, would be, we consider, both un-American and unjust. We, therefore, your constituents, request that you vote against this bill, to the end it may not become a law

N. Draper, J. F Scott, W. S. McKinny, Willie Clifton, J. Sanborn, Ralph Sutton, George Robertson, W. H. Haverstick, Eric Schmidt, George E. Waddell, J D. Perkins, W. W. Carlisle, E. W. Perkins, M. T Sulberg, F M. Dunlap, D H. Stewart, E. C. Gregory, C. S. Violett, C. V. Violett, Fred Kirk, H. F. Scott, Gustave Cottel, Everett M. Hill, A. C. Fassett, and John Ohavir (of Ione, California).

Ordered printed in Journal.

SPECIAL ORDER.

Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901

MR SPEAKER: Your committee of free conference concerning Senate Bill No 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—report that we have met a like committee of the Senate, consisting of Senators Leavitt, Taylor, and Smith, and we report that the free conference committee agreed upon and recommend that said bill be amended as follows:

Strike out Section 13, and insert in lieu thereof the following:

"SEC 13. Any ordinance establishing a library adopted under the provisions of section one of this Act may be repealed by the body which adopted the same upon being requested to do so by one fourth of the electors of such municipal corporations in the manner provided in section two of this Act, and upon the repeal of such ordinance such library shall be disestablished in such municipal corporations.

"SEC 14 This Act shall take effect immediately."

H. W. BROWN (Chairman)
F. E. DUNLAP.
T. J. SHERIDAN

The roll was called, and the report adopted and amendment concurred in by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Butler, Carter, Chandler, Clarke, Collins, Dunlap, Feliz, Fisk, Guilfoyle, Haley, Hanen, Hasson, Johnson, John, Kincaid, Knight, Laird McNeil, Melick, Milice, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—45.

NOES—None

SPECIAL ORDER RESET.

Assembly Bill No. 793 was continued as special order for Saturday, March 2, 1901, immediately after reading of Journal.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER. Your Committee on Ways and Means, to whom was referred the following—to pay mileage in contempt proceedings:

Geo W. Wittman	$18 80
E. J. Wren	18 80
Jos. Coffey	18 80
Joseph Coffey	18 80
	$75 20

Resolved, That the State Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of W. O. Banks for seventy-five and twenty one hundredths dollars ($75.20), and the State Treasurer is hereby authorized and directed to pay the same

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

Also: Assembly Bill No. 364—An Act appropriating $89 60 to reimburse Maria Willhartitz for moneys paid by her and received into the State Treasury as interest on a

certain school land purchase after action begun for the foreclosure, and in ignorance thereof—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway, connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by Committee on Roads and Highways.

Also: Assembly Bill No. 611—An Act making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California.

Also: Assembly Bill No 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor

Also: Assembly Bill No 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

FISK, Chairman.

Resolution adopted.

ON MANUFACTURES AND INTERNAL IMPROVEMENTS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Manufactures and Internal Improvements have had under consideration Assembly Bill No. 717—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 in the State when contracting for or purchasing goods, or other property—and respectfully report the same back, and recommend that it do pass.

BUTLER, Chairman.

ON PUBLIC WORKS, STATE CAPITOL, AND PARKS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901

MR. SPEAKER: Your Committee on Public Works, State Capitol, and Parks, to whom was referred Assembly Bill No 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

COLLINS, Chairman.

Assembly Bill No. 730 re-referred to Committee on Ways and Means.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901

MR. SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No. 13—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it go on Senate Special File.

Also: Assembly Bill No. 489—An Act to add a new section, to be known as Section 15½, and to amend Sections 14, 21, 22, 26, 28, and 57 of an Act entitled "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," approved March 31, 1897.

Also: Assembly Bill No. 622—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 disposition by sale, or otherwise, of property owned by irrigation districts.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 832—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, and all Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Assembly Bill No. 495—An Act to provide for the organization of persons owning water which is received and distributed to their lands from a common source and by the same system of works, and also for the further acquisition and development of water—have had the same under consideration, and respectfully report the same back without recommendation.

MILICE, Chairman.

Senate Bill No. 13 ordered on Senate Special File.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 142—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein.

Also: Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Also: Senate Bill No. 82—An Act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 142—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein.

Read first time, and referred to Committee on Census and Apportionment.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read first time, and referred to Committee on Census and Apportionment.

Senate Bill No. 82—An Act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following (as cases of urgency):

Senate Bill No. 620—An Act making an appropriation to pay the claim of the County of Marin against the State of California

Senate Bill No. 584—An Act to amend Section 475 of the Political Code of the State of California, relating to clerks and phonographic reporter in the office of the Attorney-General, and fixing the salary thereof.

F J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 620—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 584—An Act to amend Section 475 of the Political Code of the State of California, relating to clerks and phonographic reporter in the office of the Attorney-General, and fixing the salary thereof.

Read first time, and ordered on Senate Special File, it being identical with Assembly bill.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 319—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "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.

Also: Senate Bill No. 372—An Act appropriating money for the payment of claims against the State arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891

Also: Assembly Bill No. 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties

Also: Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code.

Also: Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bills Nos. 264, 231, and 397 ordered to enrollment

Senate Bill No. 319—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof, and to repeal an Act now in force relating to the same and known as "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.

Read first time, and ordered on file, being identical with Assembly bill.

Senate Bill No. 372—An Act appropriating money for the payment of claims against the State arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly Amendments Nos. 1 to 7, inclusive, and 9 to 16, inclusive, to Committee Substitute for Senate Bill No. 138—An Act to revise the Code of Civil Procedure of the State of California, by amending certain sections, repealing others, and adding certain new sections—and refused to concur in Assembly Amendment No 8 to said Committee Substitute for Senate Bill No 138, and respectfully ask your honorable body to recede therefrom.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

The question being, "Shall the Assembly recede from its action whereby Assembly Amendment No. 8 to Committee Substitute for Senate Bill No. 138 was adopted?"

The roll was called, and the Assembly receded from Assembly Amendment No. 8 to Committee Substitute for Senate Bill No. 138 by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Gulfoyle, Haley, Hanen, Hasson, Irving, Johnson, John, Knight, Laird, Macbeth, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—47.

NOES—None.

Committee substitute for Senate Bill No. 138 ordered to print.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the conference committee, consisting of Senators Taylor, Smith of Kern, and Leavitt, appointed to confer

with a like committee from your honorable body on Assembly Amendment No. 1 to Senate Bill No. 115—An Act to provide for the establishment and maintenance of public libraries within municipalities—this day report to this honorable body that no agreement could be reached, which report was adopted, and in accordance with said report Senators Taylor, Smith of Kern, and Leavitt were appointed a free conference committee to confer with a like committee of your honorable body on said amendment.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 265—An Act appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School.

Also: Concurred in Assembly amendments to the following Senate bills:

Senate Bill No. 14—An Act to amend Section 1 of an Act approved March 20, 1899, entitled "An Act to amend an Act entitled 'An Act to amend an Act, approved February 28, 1887, entitled "An Act to amend an Act to appropriate money for the support of aged persons in indigent circumstances residing in the home of the Veterans' Home Association," approved March 7, 1883, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof,' approved March 23, 1893, reducing the amount of such appropriation per capita."

Senate Bill No 112—An Act legalizing the establishment of high schools in incorporated cities, and providing for the maintenance and support of such schools

Senate Bill No. 121—An Act providing for the levy of a special tax for specific public improvements within municipalities.

Senate Bill No. 403—An Act to amend the Penal Code of the State of California by adding thereto two new sections, to be known as Sections 63 and 64, relating to the printing and distribution of anonymous circulars referring to a candidate for nomination or election to a public office, making the same a criminal offense, and providing a penalty therefor.

F. J BRANDON, Secretary of Senate.
By F C MICHAELIS, Assistant Secretary.

Senate Bill No. 265—An Act appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School.

Read first time, and referred to Committee on Ways and Means.

SPECIAL ORDER SET.

Mr. Treadwell moved that Assembly Bill No. 764 (242 on file) be made special order for to-morrow morning, immediately after reading of the Journal.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor.

Assembly Bill No 740—An Act to regulate the practice of architecture.

Assembly Bill No. 178—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Assembly Bill No. 857—An Act to add Section 2757 to the Civil Code of the State of California.

Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Assembly Bill No. 716—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States, existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States, in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State

in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred, ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents, defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the money so collected.

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail, in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

BERRY, Acting Chairman.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Carter moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act providing for the location, construction, and maintenance of highways owned or to be acquired by the State of California by a levy of a rate of taxation and the creation of a fund therefor, and defining the purposes of said fund, and the duties of the several officers in collecting and disbursing the same."

Referred to Committee on Introduction of Bills.

ASSEMBLY SPECIAL FILE—SECOND READING OF BILLS.

Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Read second time.

Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read second time.

Assembly Bill No. 341—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read second time.

Assembly Bill No. 344—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read second time.

Assembly Bill No. 737 (Committee Substitute for Assembly Bill No. 420)—An Act making an appropriation of $2,500 to be used by the Board of Managers of the Stockton State Hospital to repair the boilers in the engine-room of the male department.

Read second time.

Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Read second time.

Mr. Bennink 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. 340, 342, 341, 344, 737, and 253.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 340, 342, 341, 344, 737, and 253 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Also: Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 341—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 344—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 737—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital to repair the boilers in the engine-room of the male department.

Also: Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

And do now report the same back with amendments, and recommend that they do pass as amended, except as to Assembly Bill No. 737, which the Committee of the Whole recommend do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Mr. Bennink moved to amend as follows:

By striking out the figure "7," in line two of the title of the printed bill, and inserting in lieu thereof the figure "5."

Amendment adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "July first, nineteen hundred and one," in line two, Section 3, first page, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred and two"

Amendment adopted.

AMENDMENT No. 2.

Amend Section 1, line one of printed bill, by changing the word "seven" to read "five."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1, line one of the printed bill, by changing the figure "7" to "5."

Amendment adopted.

Assembly Bill No. 340 ordered to print, engrossment, and third reading.

Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the words "fifty thousand dollars," in line one, Section 1, first page, printed bill, and inserting in lieu thereof the words "forty thousand dollars"

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words "July first, nineteen hundred and one," in line two, Section 2, first page, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred and two."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 1, line one of printed bill, by changing the word "fifty" to read "forty."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 1, line one of printed bill, by changing the figure "5" to read "4"

Amendment adopted.

Assembly Bill No. 342 ordered to print, engrossment, and third reading.

Assembly Bill No. 341—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out the words "July first, nineteen hundred and one," in line two, Section 3, first page, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 341 ordered to print, engrossment, and third reading.

Assembly Bill No. 344—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out the words "July first, nineteen hundred and one," in line two, Section 3, first page, printed bill, and inserting in lieu thereof the words "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 344 ordered to print, engrossment, and third reading.

Assembly Bill No. 737 ordered to engrossment and third reading.

Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

The following committee amendments were submitted.

Amend by striking out the word "twelve," in line three, Section 1, first page, printed bill, and inserting in lieu thereof the word "eighty-four"

Amendment adopted.

Also:

Amend by striking out the word "immediately," in line three, Section 3, first page, printed bill, and inserting in lieu thereof the following. "from and after January first, nineteen hundred and two"

Amendment adopted.

Assembly Bill No. 253 ordered to print, engrossment, and third reading.

THIRD READING OF BILL.

Assembly Bill No. 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Foster, Gans, Greer, Haley, Hanen, Hasson, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

At ten o'clock and forty-five minutes A. M., the Speaker called Mr. Knowland to the chair.

ASSEMBLY SPECIAL FILE—SECOND READING OF BILLS—(RESUMED).

Mr. Cromwell moved that Assembly Bill No. 786 (437 on file) be taken up for consideration for the purpose of amendment.

So ordered.

Assembly Bill No. 786—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following amendments were submitted:

By Mr. Cromwell:

Amend Assembly Bill No. 786 by striking out of Section 1, line thirteen, page one, printed bill, the word "should," and inserting in lieu thereof the word "shall."

Amendment adopted.

Also:

Amend by striking out of line thirty-one, Section 1, page two, printed bill, the words "in going only."

Amendment adopted.

Also:

Amend by inserting after the word "mile," in line thirty-two, the following "one way only, to be computed over the nearest and most practicable route between the court-house and the place of service."

Amendment adopted.

Also:

Amend by striking out of line forty-six the word "four," and inserting in lieu thereof the word "two."

Amendment adopted.

Also:

Amend by inserting after the word "thousand," in line forty-six, the words "four hundred."

Amendment adopted.

Also:

Amend by striking out of line forty-seven all after the word "that," and all of line forty-eight, and in line forty-nine the words "said deputy and."

Amendment adopted.

Also:

Strike out the word "four," in line fifty-one, and insert the word "two."

Amendment adopted.

Also:

After the word "thousand," in line fifty-one, insert the words "four hundred."

Amendment adopted.

Also:

Amend by striking out in line fifty-three the words "two thousand one," and inserting the word "twelve" in lieu thereof.

Amendment adopted.

Also:

Strike out the word "eight," in line fifty-five, and insert in lieu thereof the word "two."

Amendment adopted.

Also:

Strike out the word "eight," in line fifty-nine, and insert the word "two" in lieu thereof.

Amendment adopted.

Also:

Insert after the word "Supervisors," in line one hundred and three, the words "as Supervisors."

Amendment adopted.

Also:

Amend by inserting after the word "year," in line one hundred and four, the following: "Each Supervisor shall receive for his services as Road Commissioner thirty cents per mile, one way, for all distances actually traveled by him in the performance of his duties; *provided*, that he shall not, in any one year, receive more than three hundred dollars as such Road Commissioner."

Amendment adopted.

By Mr. Cowan:

Amend Section 1, line twenty-two, after the word "named," by inserting the following: "Said Sheriff shall also be allowed an additional deputy, who shall receive a salary of nine hundred dollars per annum, payable at same time and in same manner as county officers are paid in said county."

Amendment adopted.

Assembly Bill No. 786 ordered to print, engrossment, and third reading.

Assembly Bill No. 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms, and other like commodities, by the inmates of the Industrial Home of the Adult Blind.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Knowland in the chair, for the purpose of considering Assembly Bill No. 610.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Knowland in the chair.

Assembly Bill No. 610 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Knowland in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms, and other like commodities, by the inmates of the

Industrial Home of the Adult Blind—and do now report the same back, with amendments, and recommend that the same do not pass as amended.

KNOWLAND, Chairman.

Report adopted.

Assembly Bill No. 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms, and other like commodities, by the inmates of the Industrial Home of the Adult Blind.

Mr. Foster moved to amend Assembly Bill No. 610 as follows:

Strike out all of Section 2 of printed bill.

Amendment adopted.

Also:

Strike out, in Section 5 of printed bill, all the words in line three after the word "thereof," and all of line four.

Amendment adopted.

Assembly Bill No. 610 ordered to print, engrossment, and third reading.

Assembly Bill No. 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Knowland in the chair, for the purpose of considering Assembly Bill No. 506.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Knowland in the chair.

Assembly Bill No. 506 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Knowland in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom—and do now report the same back, and recommend that the same do pass

KNOWLAND, Chairman

Report adopted.

Assembly Bill No. 506 ordered to engrossment and third reading.

LEAVE OF ABSENCE.

Mr. Brown of San Francisco was granted leave of absence until Monday, March 4, 1901, at two o'clock P. M.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON MUNICIPAL CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 845—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

SAVAGE, Chairman.

RESOLUTION—(OUT OF ORDER).

By Mr. Bliss:

Resolved, That the Superintendent of State Printing be instructed to print 1,000 additional copies of Bulletin No. 19, of the State Mining Bureau, pertaining to the oil and gas yielding formations of California, the same to be paid for out of the Contingent Fund of the Assembly.

Resolution lost.

THIRD READING OF BILL.

Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of insane prisoners, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, Melick, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Williams, Wright, and Mr. Speaker—50

NOES—None.

Title read and approved.

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor

Also: Senate Bill No. 200—An Act to provide an ice-machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Also: Assembly Bill No 197—An Act to appropriate $25,000 for the erection of a connecting building at the Mendocino State Hospital.

Have had the same under consideration, and respectfully report the same back, and recommend that authors be permitted to withdraw the same.

FISK, Chairman.

Assembly Bills Nos. 199, 200, and 197 withdrawn by authors.

SECOND READING OF BILLS—(RESUMED).

Assembly Bill No. 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor.

Read second time.

Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor.

Read second time.

Assembly Bill No. 547—An Act making appropriations of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa.

Read second time.

Assembly Bill No. 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Read second time.

Assembly Bill No. 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital.

Read second time.

Mr. Wright 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. 617, 618, 547, 548, and 550.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 617, 618, 547, 548, and 550 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do not pass.

Also: Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor—report the same back, and recommend that the same do not pass.

Also: Assembly Bill No. 547—An Act making appropriations of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa—report the same back with amendments, and recommend that the same do pass as amended

Also: Assembly Bill No. 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights—report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital—and do now report the same back, and recommend that the same do not pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor.

The following committee amendments were submitted:

Amend Section 1, line one of the printed bill, by changing the words "five thousand" to read "twenty-five hundred."

Amendment adopted.

Also:

Amend Section 1, line one of printed bill, by changing the figures "$5,000" to read "$2,500."

Amendment adopted.

Assembly Bill No. 617 ordered to print, engrossment, and third reading.

Assembly Bill No. 618 ordered to engrossment and third reading.

Assembly Bill No. 547—An Act making an appropriation of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the words "from and after January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 547 ordered to print, engrossment, and third reading.

Assembly Bill No. 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the words "from and after January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 548 ordered to print, engrossment, and third reading.

Assembly Bill No. 550 ordered to engrossment and third reading.

Mr. Fisk moved that Assembly Bill No. 875 (5 on file) be made special order for three o'clock and thirty minutes P. M. of this day.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations hereby report the following temporary rule:

That, at the session of the House to be held on Saturday, March 2, 1901, at two o'clock P. M., the order of business shall be the consideration of the second-reading file, and no other business shall be considered at said session without unanimous consent

Debate on bills upon said second-reading file shall be limited to five minutes on each bill, one half of which time shall be allowed those favoring the bill, and the remainder of the time to those in opposition.

DUNLAP, Chairman.

Report read and adopted.

THIRD READING OF BILL.

Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, Melick, Merritt, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Mr. Dunlap moved that Senate Bill No. 82 be recalled from Committee on Judiciary and placed on Senate file, it being identical with Assembly Bill No. 170.

So ordered.

Senate Bill No. 220—An Act to amend Section 1021 of the Code of Civil Procedure of this State, relating to compensations and liens of attorneys.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Chiles, Collins, Dunlap, Duryea, Feliz, Greer, Guilfoyle, Haley, Hasson, Higby, Irish, Johnson, Laird, Levinson, McNeil, Melick, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Stewart of Amador, and Mr. Speaker—33.

NOES—Messrs. Atherton, Brown of San Mateo, Chandler, James, John, Kincaid, Macbeth, Milice, Radcliff, Sutro, Treadwell, Walker, Williams, and Wright—14.

Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation.

Read third time.

Mr. Johnson moved that a select committee of one be appointed to amend Senate Bill No. 7 as follows:

After the word "them," in line seven, Section 4 of printed bill, insert the following: "The said commissioners shall annually, on the first day of September, report fully to the Governor, setting forth in detail the work done and projected during the preceding year, with such recommendations for carrying into effect the purposes of this Act as to them seems best."

Also: Strike out the word "immediately," in line one, Section 8 of the printed bill, and insert in lieu thereof the words "January first, nineteen hundred and two."

Motion carried, and so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee

Report and amendments adopted.

Mr. Ralston moved that a select committee of one be appointed to amend Senate Bill No. 7 as follows:

Strike out the period after the word year, in line ten of Section 7, page three of amended printed bill, and insert in lieu thereof a comma and the following words: "*and provided further*, that the part of said appropriation to be available in the fifty-fourth fiscal year shall not be used until there shall be made to the Governor, by the said commissioners, a satisfactory report, with maps attached, of their operations during the preceding fiscal year, and the Governor shall certify to the Controller the fact of his having received such satisfactory report."

Motion carried, and so ordered.

Mr. Ralston was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation—with

instructions to amend, now reports that the instructions of the Assembly have been carried out.

RALSTON, Committee.

Report and amendment adopted.

Senate Bill No. 7 ordered to print and on file for passage.

Mr. Anderson of Solano moved that messages from the Governor be taken up for consideration.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 52, entitled "An Act making an appropriation to pay the claim of the State Board of Horticulture for moneys expended in behalf of the State of California"; and No. 167, entitled "An Act amending Section 1457 of the Penal Code of the State of California, providing that the defendant in a criminal action must be discharged upon the payment of his fine, and providing for the disposal of the fine paid, and amending Section 1570 of the Penal Code of the State of California, relative to the disposition of fines and forfeitures collected by any court in the State of California"; and No. 297, entitled "An Act to amend Section 1770 of the Code of Civil Procedure of the State of California."

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 95, entitled "An Act to amend Section 1170 of the Penal Code, relating to exceptions that may be taken by the defendant on the trial of an indictment or information"; and No 19, entitled "An Act to appropriate $1,015 to pay the claim of Thomas D. Riordan for legal services rendered and expenses incurred by him in that certain action commenced in the Superior Court of the State of California, in and for the City and County of San Francisco, and which was therein entitled 'The People of the State of California, by Tirey L Ford, Attorney-General, plaintiff, vs Charles F. Curry, as Secretary of State of the State of California, No 73,277,' and decided on appeal by the Supreme Court of the State of California, and therein entitled 'The People of the State of California, plaintiff and appellant, vs. Charles F. Curry, as Secretary of State of the State of California, defendant and respondent, and numbered San Francisco No 2442'"

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 849, entitled "An Act making an appropriation to pay the contingent expenses of the Assembly, thirty-fourth session of the Legislature"; and No. 47, entitled "An Act to change and permanently locate the boundary line between the counties of Plumas and Lassen"; and No. 187, entitled "An Act to amend Section 5 of 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, relating to the fixing of water rates by providing for the designation of what proportion of the rates fixed is for annual reasonable expenses and what proportion is for net annual receipts and profits."

HENRY T GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 296, entitled "An Act to amend Section 1777 of the Code of Civil Procedure of the State of California."

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 127, entitled "An Act to provide for a lunch-hour for laborers in sawmills, shake-mills, shingle-mills, and logging camps"

In approving this bill I desire to give my reason, in view of my disapproval of a similar measure which was passed at the thirty-third session of the Legislature. In my message of disapproval, addressed to the Assembly dated February 21, 1899, among other things I then said:

"While I am strongly in favor of appropriate legislation for the protection of all laboring men, I am compelled to disapprove of the present bill on account of its patent unconstitutionality."

While I warmly sympathized with the wage-earner, I felt that my duty obliged me at that time to disapprove of the measure and to call the attention of the Legislature to the prohibitive sections of the State Constitution which I believed the bill violated. The fact that substantially the same measure is again passed by the ensuing Legislature, composed of many members of the Legislature of 1899, is evidence to me of a general and popular demand for this law, and its passage at this time in effect overrules my individual opinion Acceding to this popular demand, I cheerfully approve the present bill, which, though not appealing to my legal judgment, yet meets my sincere sympathy.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California

I herewith return to your honorable body Assembly Bill No. 851, entitled "An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer."

I am compelled to disapprove of this bill, in its present form, of transferring the amount of $18,500 from the General Fund for the payment of printing expenses for this session. This amount, if required, should be made as a direct appropriation.

Although as a matter of urgency at the beginning of this session I signed a bill transferring the sum of $50,000 from the General Fund, yet I did not then, and do not now, sanction such legislation.

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California

I herewith return to your honorable body without my approval, Assembly Bill No 377, entitled "An Act to amend Section 1329 of the Penal Code in relation to witnesses"

This Act is designed to amend Section 1329 of the Penal Code by restricting the cases in which fees are now paid to witnesses for compulsory attendance at criminal trials and examinations. Under the law as it stands, witnesses who are compelled to attend in criminal cases from places outside of the county, or who are unable through poverty to pay the expenses of such attendance, may be allowed their expenses in the discretion of the judge, whether their attendance be before a magistrate, a grand jury, or any court

The amendment in this bill limits the payment of the expenses of such witnesses to attendance before a grand jury or the Superior Court. It appears to me that there is no rational distinction between the inconvenience of being compelled to attend as a witness in a Justice's Court and in the Superior Court, and the hardship bears equally upon the witness who is too poor to pay his expenses. Under this bill, a witness might be subpœnaed from Del Norte County to San Diego without being allowed his rightful expenses, and this amendment might be made an engine of great oppression.

Such occasional abuses of judicial discretion under the present law cannot justify so radical a change.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 269, entitled "An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School."

I do not perceive any urgent need for the allowance at this time of the appropriation specified in this bill, nor do I favor it, in view of several more urgent demands of many other of the State institutions requiring large expenditures, and likewise because a

further and large appropriation is asked for by this institution in order to provide proper and much needed water facilities. Already three several appropriations for the Preston School, aggregating $1,550, have been passed by this Legislature to supply several needs, and the State cannot at this time afford to expend more, other than to meet the most urgent and pressing of its requirements. The bill is likewise objectionable because made payable immediately

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 1, 1901.

To the Assembly of the State of California

I herewith return without my approval, for correction, Assembly Bill No. 314, entitled "An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty therefor"

While I favor the amendment proposed in this bill, I regret that, through inadvertence, a mistake in the numbering of the sections of the Penal Code occurred in the enactment of the law approved February 10, 1899, by which it appears that there are two sections referring to two different subjects numbered Section 180; hence the present proposed Act should receive a number distinguishing it from the preceding section of the Penal Code, which was approved March 3, 1897.

When this correction is made in the section of the present proposed bill, it will not meet with my disapproval.

HENRY T. GAGE,
Governor of the State of California.

Mr. Anderson of Solano moved that the Assembly do now consider Senate messages.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 547—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No 299—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Also: Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Senate Bill No. 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Also. Senate Bill No. 462—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

Also: Senate Bill No. 563—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels, or the purchase of toll roads.

Also: Senate Bill No. 614—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Also: Senate Bill No 149—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor

Also: Senate Bill No. 416—An Act appropriating money for the wiring of the Napa State Hospital building for electric lights.

Also: Senate Bill No. 321—An Act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays

Also: Senate Bill No. 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Also: Senate Bill No. 430—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board.

Also: Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

Also: Senate Bill No. 555—An Act to provide for removing obstructions in Pit River above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Also: Senate Bill No 535—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection, which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents; defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected

Also: Senate Bill No. 637—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Also: Senate Bill No 229—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in 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 Boards 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: Senate Bill No 568—An Act to amend Section 1197 of the Political Code, relating to elections

Also: Senate Bill No. 554—An Act to prohibit the paying of employés while he or they are in any saloon, or bar-room, or restaurant.

Also: Senate Bill No 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

F. J. BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Senate Bill No. 547—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Senate Bill No. 299—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchase of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 462—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

Read first time, and ordered placed on Senate Special File.

Senate Bill No. 563—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels or the purchase of toll-roads.

Read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 614—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Read first time, and referred to Committee on Agriculture.

Senate Bill No. 149—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read first time, and referred to Committee on Claims.

Senate Bill No. 416—An Act appropriating money for the wiring of the Napa State Hospital building for electric lights.

Read first time, and referred to Committee on Claims.

Senate Bill No. 321—An Act relating to estrays, providing for taking them up, and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read first time, and ordered placed on Senate Special File.

Senate Bill No. 430—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board.

Read first time, and ordered placed on Senate Special File.

Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 555—An Act to provide for removing obstructions in Pit River above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

Read first time, and referred to Committee on Fish and Game.

Senate Bill No. 535—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the

United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection which has heretofore been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made, or said expenses may have been incurred; ratifying, also, the appointments of agents heretofore made by the Governor of this State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents, defining the duties, and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected.

Read first time, and referred to Committee on Federal Relations.

Senate Bill No. 637—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Read first time, and ordered placed on Senate Special File.

Senate Bill No. 229—An Act to amend Sections 5 and 16 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in 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 Boards 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 Commerce and Navigation.

Senate Bill No. 568—An Act to amend Section 1197 of the Political Code, relating to elections.

Read first time, and referred to Committee on Election Laws.

Senate Bill No. 554—An Act to prohibit the paying of employés while he or they are in any public saloon, or bar-room, or restaurant.

Read first time, and referred to Committee on Public Morals.

Senate Bill No. 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties and for counties of the first class.

Read first time, and ordered placed on Senate Special File.

Also:

SENATE CHAMBER, SACRAMENTO, February 28, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No. 631—An Act to amend Section 853 of the Political Code of this State, relating to absence of officers

Also: Passed Senate Bill No. 479—An Act to amend Section 1000 of the Political Code, relating to appointive power of the Governor.

Also Amended, and passed as amended, Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles—and respectfully ask the concurrence of your honorable body in said Senate amendment.

Also: Adopted Senate Joint Resolution No. 9—Relating to the improvement of Oakland Harbor

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 631—An Act to amend Section 853 of the Political Code of this State, relating to absence of officers.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 479—An Act to amend Section 1000 of the Political Code, relating to appointive power of the Governor.

Read first time, and referred to Committee on Judiciary.

Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and to collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

The question being, "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 232.

Amend by striking out of enacting clause the word "represented" after the word "Assembly," and inserting the word "represented" before the word "in."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Felix, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Miller, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 232 ordered to enrollment.

SENATE JOINT RESOLUTION NO. 9.

Relating to the improvement of Oakland Harbor.

Resolved by the Senate and Assembly, jointly, That our Senators and Representatives in Congress be requested to use their best endeavors to secure an adequate appropriation by the Congress now in session for the purpose of deepening and enlarging the Oakland Harbor; and be it further

Resolved, That the Secretary of the Senate of the State of California be directed to forward a copy of this resolution to our congressional delegation by telegraph.

Resolution read and adopted.

SENATE BILL WITHDRAWN FROM COMMITTEE.

Mr. Atherton moved that Senate Bill No. 620 be withdrawn from Committee on Ways and Means.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Atherton:

Resolved, That Senate Bill No. 620 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 Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, Melick, Milice, Radcliff, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—58.
NOES—None.

Senate Bill No. 620—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read second time.

Mr. Atherton moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 620.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 620 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 620—An Act making an appropriation to pay the claim of the County of Marin against the State of California—and do now report the same back, and recommend that it do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 620 ordered to third reading.

Senate Bill No. 620—An Act making an appropriation to pay the claim of the County of Marin against the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Haley, Hasson, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—52.
NOES—Mr. Cowan—1.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

SCHILLIG, Chairman

Assembly Bill No. 856 re-referred to Committee on Ways and Means.

CONSIDERATION OF SENATE BILL.

Senate Bill No. 16—An Act providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, in this State, and making an appropriation therefor.

The question being on the final passage of the bill.

Pending discussion, Mr. Webber, at three o'clock and twenty-eight minutes P. M., moved that the time given to Senate bills be extended until subject under consideration be disposed of.

So ordered.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Clarke, Cowan, Cromwell, Dunlap, Evatt, Fisk, Gans, Gulfoyle, Haley, Hasson, Henry, Higby, Hourigan, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, McNeil, McWade, Merritt, Milice, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—49.

NOES—Messrs Chandler, Chiles, Feliz, Foster, Irish, Knight, Mattos, Melick, Reeber, and Rutherford—10.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COMMISSIONS AND PUBLIC EXPENDITURES.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901

MR SPEAKER: Your Committee on Commissions and Public Expenditures, authorized to visit the various State hospitals throughout the State, herewith present their report as the result of their visits, making recommendations as to appropriations for improvements, and suggestions respecting the policy of financing and managing the various institutions.

Highlands Hospital.

On February 10th, we visited the Southern California State Hospital. At this hospital your committee were driven over the magnificent farm and examined the system of water supply, the ravages of storm-water (to correct which an appropriation is asked of your honorable body), the orchards, and brickyard Of particular importance is the damage done to valuable land by storm-water, to obviate which two or more plans have been brought forward, the most practicable and feasible being the more economical. The committee feels confident that the $5,000 recommended will put an end to further troubles from this source.

An examination of the brickyard discloses the fact that some very poor brick have been made However, there is probably nearly enough brick of fair quality to erect a wing or cottage for the accommodation of patients

We visited nearly every ward in the building, and found the patients well cared for, the halls neat and clean, the discipline excellent, and the general condition good. The crowded state of the hospital, and the fact that patients were sleeping in the basement and on ward floors, was brought prominently to our attention. That crowding exists is undoubted, but it may be questioned if full advantage has been taken of the means at hand to have at least partially relieved this condition. We commend the careful records kept of patients and, in general, the care given them.

Agnews.

On February 17th your committee visited Agnews State Hospital, in company with the Senate Committee, and, after an inspection of the excellently kept wards, we were given an opportunity of seeing the practical workings of the cottage system in operation at this institution. The cottage system impressed us very favorably, and in our opinion is a distinct advance in the care of the insane. While possibly slightly more expensive to maintain, it provides something more like a home for those who have often a full appreciation of their surroundings. Besides it furnishes better opportunities for segregation, classification, and treatment, and therefore is to be highly commended. On inquiry, we found that the two cottages now in use and the one under construction have been built from the Contingent Fund of earnings of the hospital without calling on the Legislature for appropriations, and without depriving the patients of any comforts Your committee believe that such a use of the Contingent Fund should be encouraged, as it is distinctly for the benefit of the insane, and to the financial advantage of the State Agnews, like Southern California, is crowded, having a number of patients sleeping on the floors of wards The completion of the cottage now under construction will relieve

the men's ward, but the women's department has no relief in sight, unless the Legislature appropriates the $25,000 asked for, and enables the hospital authorities to build a cottage for about one hundred women. Twenty-five thousand dollars for a building and furniture for one hundred patients is economical construction, for it is at the rate of $250 per patient, which is $300 per patient less than the amount allowed by the Lunacy Law.

Mendocino Hospital.

On February 23d your committee visited the Mendocino State Hospital This, the latest and newest of our hospitals, was found prettily located, well kept, remarkably clean, and apparently well managed. It suffers materially from the lack of a good system of lighting, from the absence of proper facilities for the disposal of its sewage, and from shortage of land.

The lighting is by gasoline gas, and is unsatisfactory, expensive, unreliable, and dirty. This system should be dispensed with and the hospital equipped with an electric light plant

The sewerage system has no proper outlet, and the liquid sewage is emptied into a small stream running alongside the county road, to the annoyance and detriment of the hospital neighbors, who have been already before the Board of Supervisors, with the result that that body has ordered the nuisance abated. There are but two ways for the proper disposition of the sewage: First, by burning, which involves a large first cost and a continuous large cost for maintenance of the plant; second, by the purchase of land for the farming of the sewage. The second proposition, while requiring a large outlay in the start, is not accompanied by the continued expense of maintenance The purchase of additional land for the purpose of handling the sewage will enable the hospital to maintain a dairy, and thereby effect a decided saving in the cost of milk. This article of diet now costs the hospital fifteen cents per gallon, or $300 a month, while other hospitals having their own dairies are enabled to supply it at half that cost The hospital has now but 113 acres of land, and cannot maintain a dairy with economy

There is here a marked necessity for a building which will provide a hall for the diversion and amusement of the patients. The construction of the building desired will supply the above want, will furnish a connecting link between the hospital and the administration building, and will provide accommodation for thirty-five women patients. The building is a desirable improvement, and is advisable from nearly every point of view. But as there are many calls upon the Legislature for money for buildings at this session, to ask for this building at this time is not advisable, and we therefore refrain from recommending the appropriation.

Consolidation of Management.

Early in the session your committee sought to take up the matter of investigating the management of the various hospitals, and kindred institutions in the State, with a view of ascertaining if a consolidation of management could not be accomplished and a saving of expense effected. Because your honorable body charged this committee with the duty of inquiring into the affairs of the California Commission to the Paris Exposition, those matters had to be deferred until the session was half gone. Nevertheless, your committee have made some inquiries into the conduct and management of the hospitals, and desire to submit a few recommendations, understanding full well that it is now too late for these recommendations to be embodied in legislation at the present session, but hoping that the publicity given this report will start an agitation which may result in the proposal at a future session of a bill or bills framed along the lines of these suggestions

Because of the similarity of functions performed for the State by such institutions as the five State hospitals for the insane, the reform schools at Whittier and at Ione, the Home for the Feeble-Minded at Eldridge, and the Home for the Adult Blind at Oakland, your committee is of the opinion that these institutions, with great benefit to themselves, and with a large saving to the State as regards cost of maintenance, could all be placed under management of a Central Board of Control. This Board of Control could be composed of three members appointed by the Governor, to serve four years, at a salary, each, of $3,000 a year, one member being a competent physician, another a lawyer, and the third a business man of experience.

Buying Supplies in Bulk.

To the Central Board of Control would be delegated the power of appointing superintendents of the various institutions, local boards of trustees being abolished and the several superintendents being made responsible personally for appointment of all employés connected with their institutions. The business of letting contracts for supplies would be attended to by the Board of Control, which could buy in bulk, at wholesale prices, most of the supplies required by the nine institutions enumerated above. The most casual investigation undertaken by your committee has shown that this method would effect a very material saving Here, it might be said that the creation of a State Commission in Lunacy was a step in the right direction.

Furthermore, regarding the matter of appropriations for improvements, which are now asked for by the boards of trustees of each institution, who being moved by a local pride oftentimes want more money than is actually needed, your committee is of the opinion that such a Central Board of Control would effectually keep these requests down to the very lowest possible figures, so that in this direction, as well as in the purchase of supplies, there would be a distinct saving to the State.

In this connection, your committee would like to call attention to the fact that the five thousand four hundred people now confined in the State Hospitals for the Insane alone cost for maintenance the enormous sum of $750,000 a year, a sum which represents one eighth of the annual income of the State. This sum is increasing year by year at a rate in proportion to the increase in the number of patients, which is about one hundred annually.

Because of these facts, it seems to your committee that it behooves those in authority seriously to consider the advisability of providing some administrative machinery which would enable the State to secure in the matter of the care of its dependent charges the best returns for the least economic outlay. It is realized that the question is a big one, presenting many important matters of financial as well as legal policy, and therefore it cannot be disposed of hastily.

Concluding Recommendations.

Finally, your committee would recommend to your honorable body that the bills now before the Legislature containing appropriations for improvements for the State hospitals are many of them worthy of support, and we therefore urge that the following requests for aid be allowed:

HIGHLANDS.

Storm-water drains	$5,000 00
Additional wing, or cottage	40,000 00
Tubercular cottage	25,000 00

AGNEWS.

Water tower, and artesian well	$10,000 00
Cottage and equipments for 100 patients	25,000 00

UKIAH.

Electric-light plant	$7,000 00
Ice and cold-storage plant	4,000 00
Additional land	21,000 00

Respectfully submitted.

BLISS, Chairman.

Ordered printed in Journal.

BILL RECALLED FROM COMMITTEE.

Mr. Merritt moved to recall Senate Bill No. 535 from the Committee on Federal Relations, that it be placed on the Senate File, and Assembly Bill No. 716 (121 on file) be withdrawn, they being identical bills.

So ordered.

BILL TAKEN UP FOR PURPOSE OF AMENDMENT.

Mr. Sutro asked and was granted unanimous consent to take up Senate Bill No. 560 for purpose of amendment.

So ordered.

Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act.

Read third time.

Mr. Sutro moved that a select committee of one be appointed to amend Senate Bill No. 560 as follows:

Insert after the word "incorporation," in line six of Section 1, "or of their charters, or of the statutes, or legislative or executive or governmental acts creating them in cases where they are created by charters, or statutes, or legislative or executive or governmental acts"; also, insert after the word "tort," in line nineteen of Section 3, the words "until it has complied with this Act."

Motion carried, and so ordered.

Mr. Sutro was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act—with instructions to amend, now reports that the instructions of the Assembly have been carried out

SUTRO, Committee

Report adopted.

Senate Bill No. 560 ordered to third reading.

Mr. Johnson asked unanimous consent to strike out the second portion of his amendment, submitted by him this date, to Senate Bill No. 7.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that original Assembly Bill No. 472 being lost, your Committee on Engrossment and Enrollment ask leave to substitute the reengrossed copy of the original bill.

Also: That original of Assembly Bill No 520 being lost, your Committee on Engrossment and Enrollment ask leave to substitute the reengrossed copy of same.

BERRY, Acting Chairman.

Report adopted.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker Pendleton in the chair, for the purpose of considering Assembly Bill No. 875.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 875 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years—and do now report the same back, and recommend that it do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Mr. Johnson moved to amend as follows:

Strike out the word "eleven," in line eighty-three of page three of the printed bill, and insert in lieu thereof the word "three."

Amendment adopted.

Assembly Bill No. 875 ordered to print, engrossment, and third reading.

ASSEMBLY SPECIAL FILE—(RESUMED)—SECOND READING OF BILLS.

Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Read second time.

Assembly Bill No. 200—An Act to provide an ice-machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Read second time.

Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor-shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time.

Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time.

Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time.

Assembly Bill No. 700—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time.

Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Read second time.

Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

Read second time.

Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Read second time.

Mr. Hanen 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. 199, 200, 697, 698, 699, 700, 521, 522, and 739.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 199, 200, 697, 698, 699, 700, 521, 522, and 739 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 200—An Act to provide an ice-machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Also: Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Also: Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Also: Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 700—An Act to provide for the building of a blacksmith shop, wood-working and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Also: Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Also: Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California

Also: Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

And do now report the same back with amendments, and recommend that the same do pass as amended

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

The following committee amendment was submitted:

Amend by striking out the words "its passage," in line two, Section 3, first page, printed bill, and inserting in lieu thereof the following: "January first, nineteen hundred and two"

Amendment adopted.

Assembly Bill No. 199 ordered to print, engrossment, and third reading.

Assembly Bill No. 200—An Act to provide an ice-machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

The following amendment was submitted by Mr. Hanen:

Amend by striking out of Section 3, lines one and two, the words "from and after its passage," and inserting the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 200 ordered to print, engrossment, and third reading.

Assembly Bill No 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

The following amendment was submitted by Mr. Melick:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 697 ordered to print, engrossment, and third reading.

Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

The following amendment was submitted by Mr. Melick:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 698 ordered to print, engrossment, and third reading.

Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

The following committee amendment was submitted:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 699 ordered to print, engrossment, and third reading.

Assembly Bill No. 700—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

The following amendment was submitted by Mr. Melick:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the words "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 700 ordered to print, engrossment, and third reading.

Assembly Bill No. 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

The following committee amendment was submitted:

Amend by striking out the word "forty," in line one, Section 1, first page, printed bill, and inserting in lieu thereof the word "ten."

Amendment adopted.

Assembly Bill No. 521 ordered to print, engrossment, and third reading.

Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the following: "from and after January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School,

located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

The following amendment was submitted by Mr. Melick:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the words "January first, nineteen hundred and two"

Amendment adopted.

Assembly Bill No. 739 ordered to print, engrossment, and third reading.

LEAVE OF ABSENCE.

Mr. Chandler was granted leave of absence until Monday, March 4, 1901.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON SWAMP AND OVERFLOWED LANDS AND RIVER IMPROVEMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Swamp and Overflowed Lands and River Improvements, to whom was referred Committee Substitute for Senate Bill No 209—An Act to amend Section 11 of an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

GREER, Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, February 28, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 870—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the salary of the County Health Officer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McWADE, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

Assembly Bill No 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Assembly Bill No. 737—An Act making an appropriation of $2,500 to be used by the Board of Managers of the Stockton State Hospital at Stockton to repair the boilers in the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Assembly Bill No 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom.

Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor.

Assembly Bill No. 550—An Act appropriating money for the purchase and installation of an elevator for the Napa State Hospital.

BERRY, Acting Chairman.

ON LABOR AND CAPITAL.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Labor and Capital, to whom was referred Senate Bill No 427—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

HOURIGAN, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 5—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. 76—An Act for the payment of jurors' fees in criminal cases in the Superior Courts.

Assembly Bill No. 229—An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor.

Assembly Bill No. 362—An Act to amend Section No. 3951 of the Political Code of the State of California, relating to the boundaries of the County of San Mateo

Assembly Bill No. 368—An Act making an appropriation to pay the claim of O O. Webber for costs of suit in foreclosing delinquent purchasers of State school lands.

Assembly Bill No 369—An Act appropriating $300 to pay the claim of George E. Dierssen, as assignee of George H. Stewart, for the arrest of W. H. Harrall, a highway robber (said Harrall being killed while resisting arrest).

Assembly Bill No. 383—An Act to amend Section 1882 of the Political Code by increasing the number of years for which bonds may be issued.

Assembly Bill No. 385—An Act to amend Section 857 of an Act entitled "An Act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883

Assembly Bill No. 409—An Act to amend Section 1346 of the Political Code, relating to elections.

Assembly Bill No. 411—An Act to amend Section 1290 of the Political Code, relating to elections.

Assembly Bill No. 412—An Act to amend Section 1288 of the Political Code, relating to elections.

Assembly Bill No. 4—An Act to amend an Act entitled "An Act to prevent the destruction of forests by fire on public lands," approved February 13, 1872, and to extend the provisions of said Act to private lands.

Assembly Bill No. 54—An Act to amend an Act entitled "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 purposes 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

Assembly Bill No. 150—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 three new sections to said Act, to be known as Sections 20, 21, and 22, in relation to cruelty to animals, and the arrest, trial, and punishment of offenders against the provisions of said Act, and liens on property in certain cases arising under this Act

Assembly Bill No 319—An Act to amend an Act entitled "An Act to regulate the use of artesian wells and to prevent the waste of subterranean waters in this State," approved March 9, 1878.

Assembly Bill No. 464—An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit.

And were presented to the Governor this day, at two o'clock and fifteen minutes P. M.

ANDERSON, Acting Chairman.

RECESS.

At four o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

SENATE BILL RECALLED FROM COMMITTEE.

Mr. Williams moved that Senate Bill No. 563 be recalled from the Committee on Roads and Highways and placed on the Senate Special File, and that Assembly Bill No. 746 (426 on file) be withdrawn.

So ordered.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

Read third time.

Mr. Macbeth moved that a select committee of one be appointed to amend Assembly Bill No. 109 as follows:

Strike out lines three to twenty-eight, inclusive, pages one and two of the printed bill, and insert in lieu thereof the following:

"1186 Any convention as hereinafter defined may make nominations of candidates for public office, including electors of President and Vice-President of the United States, to be filled by election within the State. A convention within the meaning of this chapter is an organized assemblage of delegates representing a political party or organization.

"If such convention be assembled to present candidates for public office to be elected within territory or political division in the whole of which the provisions of 1357 to 1375, both inclusive, of this code are mandatory or were in force and effect at the time of the election of delegates thereto, then and in such event all the delegates acting therein must have been chosen at a primary election held under the provisions of said sections of this code.

"If such convention be assembled to present candidates for public office to be elected within territory in a portion of which the said sections of this code are mandatory or in force and effect, and in a portion of which said sections are not in force or effect, then and in such event, the delegates acting in such convention representing therein territory or a political division where such said sections are in force and effect, must have been chosen at a primary election held under the provisions thereof.

"If such convention be assembled to present candidates for public office to be elected within territory or a political division in no portion of which said sections of this code are mandatory or in force and effect, then and in such event the political party which such organized assemblage of delegates represents, must have at the last election before the holding of such convention polled at least three per cent of the entire vote of the State, or of the county, city and county, district or other political division for which nominations are to be made; *provided*, that in any political division of this State wherein no general election shall have been held after its organization, a convention as last above referred to, of any political party polling at least three per cent of the votes cast in the precincts composing said political division, shall have the same power, and its nominations the same effect, as though such political division had been organized before the next preceding general election. Any conventions as herein defined may, in addition to making nominations of candidates for public office, appoint or elect a governing committee for the political party which the delegates in such convention represent, for the territory which is thus represented, which committee shall serve for the next ensuing two years, and until the next biennial convention of the party which it represents has organized, but no longer; *provided*, that in years when a State convention assembles to select delegates to a National convention to nominate a candidate for President and for Vice-President of the United States, such State convention shall have the power to choose a committee or governing body to represent the party in the territory which such convention represents, which committee or governing body shall hold and exercise its power until the next State convention to nominate a Governor and other State officers shall assemble and select its successors.

"Whenever there shall be in any political subdivision of the State more than one body claiming to represent a certain political party or organization in such territory, if such political party have a State committee, such State committee, or its executive committee, if it have one and has delegated such power to it, may determine which of such bodies represents such political party in such territory, and such decision shall be final and all officers shall be bound thereby. The decision shall be in writing, and shall name the chairman and secretary of the political committee for such political subdivision which it recognizes, and shall be attested by the secretary of the committee making the decision, and a duplicate must be filed with the election commissioners of such political subdivision or its clerk, secretary, or registrar of voters."

Also: Amend by striking out the whole of Section 2 thereof, second page, printed bill, and inserting in lieu thereof the following:

"SEC. 2. Section 1187 of the Political Code is hereby amended to read as follows:

"Section 1187 All nominations made by any such convention shall be certified as follows: The certificate of nomination must be in writing and shall contain the name of each person nominated, his residence, and the office for which he is nominated, and shall designate the party or principle which such convention represents It shall be signed by the chairman and secretary of such convention, who shall add to their signatures their respective places of residence, and make oath before an officer authorized to administer the same that the matter stated in such certificate is true to the best of their knowledge and belief, and a certificate of the oath shall be annexed to the certificate of nomination. The nominees may all be nominated by one certificate or by separate certificates, and where nominees of a district or supervisoral convention are reported to a State or local convention in which the delegates to such district or supervisoral conventions form a portion of the delegates composing such State or local convention, all such nominees may be included in one certificate of nomination with the nominees of such State or local convention, it being specified for what districts such district nominations are made, and all such nominations may be certified as above by the chairman and secretary of the State or local convention.

"If the chairman and secretary of any convention shall not deposit with the secretary of the political party committee representing the party in the territory for which such convention was held, the proper certificate or certificates of nomination of the nominees

of such convention verified as herein required in due form for filing, on or before the fifth day preceding the latest day provided by law for filing such certificate or certificates of nomination, then such certificate or certificates of nomination may be made and verified by the chairman and secretary of the political party which such convention represented, acting in and for the territory which such convention represented, in the manner and form hereinbefore provided, and upon an indorsement being made upon such certificate or certificates of nomination last mentioned by the secretary of such committee, to the effect that the chairman and secretary of the proper convention did not deposit with said secretary a certificate or certificates of nomination as required by this section, the Secretary of State, clerk, registrar of voters, or proper officer with whom such certificate or certificates are required by law to be filed, must receive and file such certificate or certificates so made by the chairman and secretary of such committee, and the same shall have the same force and effect as if made by the chairman and secretary of such convention

"The verified certificate of nominations made by a State convention and the districts thereof, when made pursuant to this section by such officers of such respective political committees, shall be in form substantially as follows:

"If a statement of the nominations made by a State convention and the district conventions thereof:

"*To the Secretary of State (or other proper officer)*·

"The undersigned, the chairman and secretary, respectively, of the (giving the party designation) State committee of California, hereby certify that at a meeting of the (giving the party designation) State convention, held at the city of ——— on the ——— days of ———, nineteen hundred and ———, the following nominations of candidates for public offices to be voted for at the next ensuing general election were duly and regularly made by said State convention and the district conventions thereof:

Office	Name of Nominee.	Residence.
For Governor.	----------	----------
(Etc.)		
For Members of the House of Representatives—		
First District.	----------	----------
(Etc.)		
For Members of State Board of Equalization—		
First District.	----------	----------
(Etc.)		
For Railroad Commissioners—		
First District.	----------	----------
(Etc.)		
For Members of State Senate—		
Second District.	----------	----------
Fourth District.	----------	----------
(Etc.)		
For Members of State Assembly—		
First District.	----------	----------
Second District	----------	----------

Chairman (insert name of party) State Committee of California.

Secretary (insert name of party) State Committee of California.

Subscribed and sworn to before me this ——— day of ———, nineteen hundred and ———

(Seal.)

Notary Public.

If a statement of the nominations made by a county convention and the district conventions thereof:

To the Secretary of State·

(or)

To the County Clerk (or other proper officer) of ———·

The undersigned, the chairman and secretary, respectively, of the (insert name of party) county committee of the county (or city and county) of ——— hereby certify that at a meeting of the (insert name of party) county convention of said county (or city and county) held on the ——— days of ———, 19—, the following nominations of candidates for public offices to be voted for at the next ensuing general election therein were duly and regularly made by said county convention and the district conventions thereof:

Office	Name of Nominee	Residence.
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Chairman (insert name of party) County Committee of ———.

Secretary (insert name of party) County Committee of ———.

Subscribed and sworn to before me this ——— day of ———, nineteen hundred and ———.

(Seal.)

Notary Public.

If a statement of the nominations made by a local (or municipal) convention and the district conventions thereof:

To the County Clerk (or other proper officer) of ——

The undersigned, the chairman and secretary, respectively, of the (insert name of party) (county or local) committee of the (city and county, city or town) of —— hereby certify that at a meeting of the (insert name of party) (local or municipal) convention of said (city and county, city or town), held on the —— days of ——, nineteen hundred and ——, the following nominations of candidates for public offices to be voted for at the next ensuing local (or municipal) election held therein, were duly and regularly made by said local (or municipal) convention and the district conventions thereof:

Office.	Name of Nominee	Residence
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Chairman (insert name of party, county or local) Committee of ——.

----------,

Secretary (insert name of party, county or local) Committee of ——

Subscribed and sworn to before me this —— day of ——, nineteen hundred and——.

(Seal.)

------ ---,

Notary Public

"If the certificates of nomination are made by the chairman and secretary of any such convention they shall be in substantially the same form as the foregoing, signed and verified by the chairman and secretary of the convention instead of such officers of such political committees.

"SEC. 3. Section 1188 of the Political Code is hereby amended to read as follows.

"1188. A candidate for public office may be nominated, otherwise than by a convention, in the manner following: A certificate of nomination containing the name of the candidate to be nominated, with the other information required to be given in the certificates provided for in section eleven hundred and eighty-seven of this code, shall be signed by electors residing within the district, or political division for which candidates are to be presented, equal in number to at least three per cent of the entire vote cast at the last preceding election in the state, district, or political division for which the nomination is to be made. Said petitioners may also designate any number of persons, not less than seven nor more than twenty-five, each and all of whom shall be signers to said petition, to constitute a committee representing the signers of said certificate, collectively, as a political party by any name selected and adopted by them in said certificate of nomination; *provided*, said name is not the same or so similar to that of any existing party as to mislead voters. The said committee so designated shall constitute the governing body or committee of said party. Said signatures need not be appended to one paper, but each signer shall add to his signature his place of residence, giving street and number, where such designation by street and number can be given One of the signers of each such paper shall swear that the statements therein made are true, and that each signature to such paper appended is the genuine signature of the person whose name purports to be thereto subscribed. Any person signing to such certificate of nomination any name but his own, or any person making a false oath to such certificate of nomination, shall be punished by imprisonment in the State prison not exceeding five years.

"No voter who votes at any primary election of delegates to any convention shall sign any petition in favor of recommending for nomination any person as an independent candidate for any office for which candidates are to be or shall have been nominated at such convention The clerk or officer with whom any petition of any independent candidate is filed, is authorized and directed to strike out or disregard the name or names of any electors who, upon examination of the voting register, or otherwise, may be found to have signed such petition in violation of the provisions herein.

"SEC 4. This Act shall take effect immediately"

Also: Amend the title of said Act by striking out all after the words "An Act," where first appearing in said title, first page, printed bill, and inserting in lieu thereof the following: "To amend Sections 1186, 1187, and 1188 of the Political Code of the State of California, relating to political conventions, nominations, and political committees"

Motion of Mr. Macbeth to refer to select committee carried, and it was so ordered.

Mr. Macbeth was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MACBETH, Committee.

Report and amendments adopted.

Assembly Bill No. 109, "rush" order to print, reëngrossment, and on file for final action.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

Mr. Rutherford moved that Senate Constitutional Amendment No. 4 be taken up for consideration and that Assembly Constitutional Amendment No. 3 be withdrawn.

So ordered.

SENATE CONSTITUTIONAL AMENDMENT NO. 4.

To propose to the people of the State of California an amendment to the Constitution of the State, amending section six of article nine, relating to the public school system and the support of public schools.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, nineteen hundred and one, two thirds of all members elected to each house concurring, hereby proposes that section six of article nine of the Constitution of said State 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. The entire revenue derived from the State School Fund and from the general State school tax shall be applied exclusively to the support of primary and grammar schools; but the Legislature may authorize and cause to be levied a special State school tax for the support of high schools and technical schools, or either of such schools, included in the public school system, and all revenue derived from such special tax shall be applied exclusively to the support of the schools for which such special tax shall be levied.

Senate Constitutional Amendment No. 4 read.

The roll was called, and Senate Constitutional Amendment No. 4 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Gulfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McWade, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schilig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—58.

NOES—Messrs. Brown of San Mateo and McNeil—2.

LEAVE OF ABSENCE.

Messrs. Hubbard and Knight were granted leave of absence until Monday.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO 8.

To propose to the people of the State of California an amendment to the Constitution of the State, amending article four, section thirty-three thereof, relating to the regulation of charges of telephone corporations.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, nineteen hundred and one, two thirds of all the members elected to each house concurring, and voting in favor thereof, hereby proposes that article four, section thirty-three thereof, be amended to read as follows, to wit:

Section 33. The Legislature shall pass laws for the regulation and limitation of the charges for services performed and commodities furnished by telegraph, telephone, and gas corporations, where such services are performed and commodities furnished by telegraph, telephone, and gas corporations within more than one county within this State, and the charges by corporations or individuals for storage and wharfage in which there is a public use and where laws shall provide for the selection of any person or officer to regulate and limit such rates, no such person or officer shall be selected by any corporation or individual interested in the business to be regulated, and no person shall be selected who is an officer or stockholder in any such corporation And when services are performed and commodities furnished by telegraph-telephone corporations wholly within one county or city and county, or city, or town within this State to the inhabitants thereof, the same is hereby declared a public use and subject to the regulation of and control of the Board of Supervisors of the county or city and county, or city or town council or other governing body of such county, city and county, or city or town; *provided*, that the rate of compensation to be collected by any person, company, or corporation within any county, city and county, or city, or town within this State for services performed or to be performed and commodities furnished or to be furnished by telegraph-telephone corporations, shall be fixed annually by the Board of Supervisors of the county, or city and county, or city or town council or other governing body of such city and

county, or city, or town by ordinance or otherwise in the manner that other ordinances or legislative acts or resolutions are passed by such body, and shall continue in force for one year and no longer, such ordinances or resolutions shall be passed in the month of March of each year and take effect on the first day of July thereafter Any board or body failing to pass the necessary ordinances or resolutions fixing telephone rates, where necessary within such time, shall be subject to peremptory process to compel action at the suit of any party interested, and shall be liable to such further processes and penalties as the Legislature may prescribe. Any person, company, or corporation collecting telegraph or telephone rates in any county, city and county, or city, or town in this State, otherwise than as so established, shall forfeit the franchise and privileges, wires, poles, telephones, and works of such person, company, or corporation to the county, or city and county, or city, or town where the same are collected to the public use, and the right to collect rates or compensation for the use of telegraph or telephones supplied in any county, city and county, or town or the inhabitants thereof is hereby declared a franchise and cannot be exercised except by authority of and in the manner prescribed by law.

Assembly Constitutional Amendment No. 8 read.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of result, Mr. Brady moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—65

Mr. Guilfoyle moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and Assembly Constitutional Amendment No. 8 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, James, Johnson, John, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Merritt, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Mr Speaker—54.

NOES—Messrs. Bauer, Cowan, Duryea, Irving, Kincaid, McWade, Melick, Milice, Walker, and Wright—10.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 17.

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 article four thereof, to be numbered section thirty-six of said article four, relating to legislative power

The Legislature of the State of California at its thirty-fourth session commencing on the seventh day of January, Anno Domini one thousand nine hundred and one, two thirds of all the members elected to each house voting in favor thereof, hereby proposes that a new section be added to article four of the Constitution of the State of California, to be designated as section thirty-six of said article, as follows:

Section 36 The protection and safety of life, liberty, property, health, and morals; the securing of freedom and fairness in and at elections; the administration of justice; the protection and regulation of commerce; the maintenance and execution of measures for the suppression of crime and vice, are (subject to any exclusive power or jurisdiction of the United States) functions and affairs of the State; and no restriction of legislative power as to municipal affairs shall deprive the Legislature of power to provide by law for such protection, safety, security, regulation, and execution. The enumeration of the foregoing powers shall not be construed to exclude any other power, jurisdiction, or sovereignty belonging or pertaining to the State.

Assembly Constitutional Amendment No. 17 read.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result of the vote, Mr. Guilfoyle moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

Mr. Johnson moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and Assembly Constitutional Amendment No. 17 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Clarke, Collins, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56

NOES—Messrs. Chiles, Cowan, Cromwell, Feliz, James, Kincaid, Laird, Levinson, Schilig, Sheridan, and Sutro—11.

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State in relation to depositing public funds of any county, city and county, city or town.

The roll was called, and Assembly Constitutional Amendment No. 21 refused adoption by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Broughton, Carter, Cromwell, Dunlap, Duryea, Foster, Gans, Guilfoyle, Hanen, Hasson, Henry, Higby, James, Johnson, Kelley, Knight, Knowland, Levinson, McNeil, McWade, Melick, Myers, Ralston, Rutherford, Savage, Webber, and Mr. Speaker—31.

NOES—Messrs. Atherton, Bauer, Berry, Butler, Chiles, Cowan, Evatt, Feliz, Haley, Hourigan, Irish, Irving, John, Kincaid, Laird, Reeber, Roberts, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—25

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 23.

The Legislature of the State of California, at its thirty-fourth session, commencing on the seventh of January, nineteen hundred and one, two thirds of all members elected to each house of said Legislature voting in favor thereof, hereby proposes that article nine, section seven, of the Constitution, be amended to read as follows:

Section 7. The Governor, the Superintendent of Public Instruction, the president of the University of California, and the professor of pedagogy therein, and the principals of the State normal schools, shall constitute the State Board of Education, and compile, or cause to be compiled, and adopt, a uniform series of text-books for use in the common schools throughout the State. The State board may cause such text-books when adopted to be printed by the Superintendent of State Printing, in the State Printing Office, and when so printed and published to be distributed to the pupils of the common schools throughout the State, free of cost to said pupils. The text-books so adopted shall continue in use not less than four years, and said State board shall perform such other duties as may be prescribed by law. The Legislature shall provide for a board of education in each county in the State. The county superintendents and the county boards of education shall have control of the examination of teachers, and the granting of teachers' certificates within their respective jurisdiction.

Assembly Constitutional Amendment No. 23 read.

The roll was called, and Assembly Constitutional Amendment No 23 adopted by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—60.

NOES—Messrs. Brown of San Mateo, Kincaid, and Sutro—3.

Assembly Constitutional Amendment No. 16—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, in relation to the minimum period for the use of text-books in the common schools throughout the State.

Passed on file.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 19.

Proposing that Section 1 of Article II of the Constitution of California, relating to the rights of citizens in voting, be amended by extending the right to vote to females over the age of twenty-one years for the purpose of electing school trustees, boards of education, or for voting upon issuance of school bonds or the levy of school taxes

The Legislature of the State of California, at its thirty-fourth session, two thirds of all the members elected to the Senate and Assembly voting therefor, proposes to the qualified electors of the State the following amendment to the Constitution:

That section one of article two of the Constitution of the State of California is hereby amended so as to read as follows

Section 1 Every native male citizen of the United States, every male person who shall have acquired the right to citizenship under or by virtue of the Treaty of Queretaro, and every male naturalized citizen thereof, who shall have become such ninety days prior to any election, of the age of twenty-one years, who shall have been resident of this State one year next preceding the election, and of the county in which he claims his vote ninety days, and in the election precinct thirty days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law, *provided*, no native of China, no idiot, no insane person, no person convicted of any infamous crime, no person who shall hereafter be convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution of the State of California in the English language and write his name, shall ever exercise the privileges of an elector in this State; *provided*, that the provisions relative to an educational qualification shall not apply to any person prevented by physical disability from complying with its requirements, nor to any person who had the right to vote on November sixth, eighteen hundred and ninety-four, nor to any person who was sixty years of age and upward on said date, *provided further*, that all females over the age of twenty-one years, who possess the qualifications herein enumerated and are not under any of the disabilities or disqualifications herein stated, shall be entitled to vote for school trustees and boards of education, or upon the issuance of school bonds or the levy of school taxes, and the Legislature shall prescribe by proper laws for the voting of said females at said elections.

Assembly Constitutional Amendment No. 19 read.

The roll was called, and Assembly Constitutional Amendment No. 19 adopted by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer Bennink, Berry, Bliss, Broughton, Butler, Carter, Clarke, Cowan, Cromwell, Dunlap, Evatt, Fisk, Foster, Gans, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—56.

NOES—Messrs. Brady, Brown of San Mateo, Chiles, Collins, Duryea, Feliz, Greer, Haley, Irving, McWade, Webber, and Mr. Speaker—12.

NOTICE OF RECONSIDERATION.

Mr. Cowan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 21 was this day refused adoption.

At ten o'clock and fifty-five minutes P. M., Mr. Anderson moved that time of adjournment be extended until Assembly Constitutional Amendment No. 28 was disposed of.

Mr. Hourigan moved to amend by extending time until all Assembly constitutional amendments had been disposed of.

Motion, as amended, adopted.

At ten o'clock P. M., the Speaker called Mr. Carter to the chair.

Mr. Laird moved that Assembly Constitutional Amendment No. 28 (167 on file) be taken up for consideration.

So ordered.

Mr. Sutro then moved that Assembly Constitutional Amendment No. 28 (167 on file) and Assembly Constitutional Amendment No. 20 (47 on file) be transposed on file.

So ordered.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 28.

A resolution proposing to the people of the State of California amendments to the Constitution of the State, amending Article XX by adding thereto two new sections, to be known as Sections Numbers 21 and 22, relating to a State Commission to have charge, in certain respects, of railroads, transportation companies, common carriers, banks, insurance companies, water, gas, and electric light and power, telephone companies, telegraph companies, and sleeping-car companies, and express companies, and of certain services and commodities, howsoever supplied to the public, and regulations concerning the same, and repealing certain present constitutional provisions relative to the same subject

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, A D. nineteen hundred and one, two thirds of all the members elected to each house of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that article twenty of the Constitution of said State be amended by adding thereto two new sections, to be known as sections numbers twenty-one and twenty-two, and that sections twenty-two and twenty-three of article twelve of the Constitution be annulled; which said new sections shall read as follows, to wit.

Section 21. There is hereby created a commission, to be known as the State Commission, and to be composed of five persons, which commission shall have the powers herein specified and provided for The State shall be divided into five districts, in each of which one commissioner shall be elected by the qualified electors thereof at the regular State or National elections, whose salary shall be six thousand dollars per year, to be paid by the State monthly, and whose term of office shall be ten years, commencing on the first Monday after the first day of January next succeeding his election. The members of the commission in the first instance shall be appointed by the Governor, one from each district, and the Governor shall designate one thereof to hold office for two years and one for four years, one for six years, one for eight years, and one for ten years, or until their respective successors are elected; and in making such appointments the Governor shall not appoint more than three commissioners from any one political party. At the next general State or National election and thereafter every two years at a general State or National election, a successor shall be elected, as above provided, for the commissioner whose term of office will next thereafter expire. The commissioner having the shortest period of time to serve shall be known as "chief commissioner," and shall be the presiding officer of the commission The commission shall have a general office in such place as it may determine from time to time and shall appoint such clerks and employés as it may from time to time deem necessary, and shall be allowed all necessary costs of travel in performance of duties, and all the expenses and salaries in the premises shall be paid by the State; but the Legislature may from time to time in its discretion regulate the salaries of all clerks and employés, but, failing to do so, the commission shall have power to fix the same. The commission shall be deemed to be in continuous session, but may sit at any place or places in the State and at any time as it may determine necessary in the conduct of its business The commissioners shall be qualified electors of the State and of the district from which they are elected or appointed, and shall not be interested directly or indirectly as stockholder, creditor, agent, attorney, or employé or otherwise, in any of the corporations, companies, or business over which they have charge, as herein provided, and the act of a majority of the commissioners shall be deemed to be and shall be the act of the commission The commission shall, from and after said appointment of members, have exclusive jurisdiction and power, and it shall be their duty, after notice and full investigation and hearing, to determine, fix, and establish all and every the rates and charges for services performed and commodities furnished in this State, by whomsoever performed or furnished, and wheresoever in this State the same may be performed or furnished, in respect to any and all the following:

(*a*) Transportation of passengers and freight, and all other services by all common carriers;

(*b*) Gas, electric light, and power and water for any purpose (except where any of the same is to be supplied by a corporation or corporations solely to stockholders thereof without profit, and except waters supplied by irrigation districts, formed under the laws of the State, or sold or supplied by contract or grant in gross or for years and not distributed to consumers).

(*c*) Telephone and telegraph services;

(*d*) Sleeping-car companies or corporations and all sleeping car services, and also to make regulations concerning the same;

(*e*) Express companies or corporations and all express service, and also to make regulations concerning the same

All such rates shall be changed at any time by the commission, save that any rate, whenever once established, shall continue in force for the period of one year, and until altered and all such rates shall be reasonable considering the services performed or the commodity furnished All rates so established shall be published by the commission in such a way as it may determine, and shall take effect at a time to be specified by the commission. And from and after the appointment of its members, as aforesaid, the State Commission shall be the successor of the board of bank commissioners, now existing under the statutes of this State (and the terms of the bank commissioners are hereby ended), with the same powers, authority, and duties now established or hereafter to be established by the Legislature, except where the same may conflict with this section; and from and after said appointment, the State Commission shall also be the successor of the insurance commissioner, under the statutes and codes of this State (and the term of office of the insurance commissioner is hereby ended), with the same powers, authority, and duties now established or hereafter to be established by the Legislature, except where the same may conflict with this section; and from and after said appointment, the State Commission shall in every respect, so far as relates to all and every the said rates and charges hereinbefore mentioned, and to all and every the matters and things, howsoever, connected with performing said services and furnishing and supplying said commodities, be the successor under the Constitution and laws of the State of the Boards of Supervisors and city and county or city or town councils and other governing body or bodies of the several counties, cities and counties, cities and towns of the State, with the same powers, authority, and duties now established by the Constitution and laws of the State, or hereafter to be established by the Legislature, except where the latter may conflict with this section. The State Commission shall have power to examine all books, records, and papers relevant in all the premises by whomsoever owned or possessed, and all persons, and shall have power to issue and enforce obedience to subpœnas and all other necessary process; to hear and determine complaints; to administer oaths, take testimony and punish for contempt of its orders and processes in the same manner and to the same extent as courts of record, and to enforce their decisions and correct abuses through the medium of the courts. Whosoever shall be engaged in performing any of said services or furnishing any of said commodities and shall fail or refuse to conform to such rates, or shall charge rates in excess thereof, shall be fined not exceeding twenty thousand dollars for each offense, and every officer, agent or employé in the premises who shall demand or receive rates in excess thereof, or who shall in any manner violate the provisions of this section, shall be fined not exceeding five thousand dollars or be imprisoned in the county jail not exceeding one year, and in all the actions last named, both civil and criminal, the rates established shall be deemed conclusively just and reasonable, and in any action for damages sustained by charging excessive rates the plaintiff in addition to actual damages may, in the discretion of the judge or jury, recover exemplary damages. The records of said commission shall be open to public inspection in the same manner and to the same extent as the records of courts Nothing in this section contained shall prevent individuals from maintaining actions for damages or otherwise in any of the premises. Whosoever shall render any of the services or furnish any of the commodities herein mentioned or be in any way subject to the provisions of this section or said commission shall annually apply to the commission for and receive a license which shall authorize and empower the conduct of business in this State, and in cases where rates are collectible the collection of the rates fixed by authority of this action, and shall accompany such application with a sworn statement of the gross income realized for such services and commodities furnished or from the conduct of business in this State during the previous calendar year, and the commission shall annually fix the amount of such license in each case as nearly as may be according and proportionate to the gross income of the previous calendar year for the services or commodities furnished or for business done in this State, in each case, as compared with the aggregate gross income for all such services or commodities furnished or business done in this State, but in such a sum that the aggregate of all license fees shall not be less than the estimated aggregate of all the annual salaries and all expenses of the commission mentioned in this section for the ensuing year, and the commission shall have power to tender such license and to collect such license fees on demand and by aid of the courts, and the amount of the license fixed by the commission shall be conclusively just and proportionate, and all such fees and also all moneys, howsoever collected or received by the commission, shall be paid to the Treasurer of the State, who shall keep the same in a fund to be called the State Commission Fund, and any surplus in such fund at the end of each year shall be transferred and belong to the General Fund Whosoever shall neglect or refuse to pay any license fee within ten days after demand shall forfeit to the State the sum of five thousand dollars, to be collected by process of law, and, in cases where rates are collectible, may

also be enjoined from collecting any rates till such license fee is paid. The Legislature may, in addition to any penalties herein prescribed, enforce this section by forfeiture of franchise, charter, or other rights, and may confer upon the State Commission such further authority as shall be deemed necessary to enable it to perform and enforce the provisions of this section, and may by a two-thirds vote of all the members elected to each house remove any one or more of said commissioners from office for dereliction of duty or corruption or incompetency. Whenever a vacancy occurs in the office of State Commissioner, the Governor shall fill the same by appointment of a qualified person thereto, who shall hold office until his successor is elected at the next general State or National election for the unexpired term

Sections 22 and 23 of Article XII of this Constitution are annulled.

Section 22 Under the foregoing section, the State Commission districts of the State shall be as follows: The first district shall be composed of the counties of Butte, Colusa, Del Norte, Glenn, Humboldt, Lake, Lassen, Marin, Mendocino, Modoc, Napa, Nevada, Placer, Plumas, Shasta, Sierra, Siskiyou, Sonoma, Sutter, Tehama, Trinity, Yolo, and Yuba, from which one State Commissioner shall, in the first instance, be appointed by the Governor, and thereafter be elected, the second district shall be composed of the counties of Alameda, Alpine, Amador, Calaveras, Contra Costa, El Dorado, Inyo, Mariposa, Mono, Sacramento, San Joaquin, Solano, and Tuolumne, from which one State Commissioner shall, in the first instance, be appointed by the Governor, and thereafter be elected; the third district shall be composed of the City and County of San Francisco, from which one State Commissioner shall, in the first instance, be appointed by the Governor, and thereafter be elected, the fourth district shall be composed of the counties of Fresno, Kern, Kings, Madera, Merced, Monterey, San Benito, San Mateo, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, Stanislaus, Tulare, and Ventura, from which one State Commissioner shall, in the first instance, be appointed by the Governor, and thereafter be elected; and the fifth district shall be composed of the counties of Los Angeles, Orange, Riverside, San Bernardino, and San Diego, from which one State Commissioner shall, in the first instance, be appointed by the Governor, and thereafter be elected.

Assembly Constitutional Amendment No. 28 read.

The roll was called, and Assembly Constitutional Amendment No. 28 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Clarke, Collins, Cowan, Cromwell, Duryea, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—61.

NOES—Mr. Irish—1.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same with the recommendation that the author be permitted to introduce it. The number of said bill is Assembly Bill No. 876—An Act providing for the location, construction, and maintenance of highways, owned or to be acquired by the State of California, by a levy of a rate of taxation, and the creation of a fund therefor, and defining the purposes of said fund, and the duties of the several officers in collecting and disbursing the same

RALSTON, Chairman.

RESOLUTION.

By Mr. Ralston:

Resolved, That consent of the Assembly be given to the introduction of Assembly Bill No. 876.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Guilfoyle, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Milice, Meyers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—54.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Carter: Assembly Bill No. 876—An Act providing 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, and defining the purposes of said fund, and the duties of the several officers in collecting and disbursing the same.

Read first time, and referred to Committee on Roads and Highways.

CONSIDERATION OF CONCURRENT RESOLUTION.

Assembly Concurrent Resolution No. 5—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.

Assembly Concurrent Resolution No. 5 read.

The following committee amendments were submitted:

AMENDMENT No 1.

Strike out the word "the" in line one of Section 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "calling it," in lines eighteen and nineteen of Section 2 of the printed bill, and insert in lieu thereof the words "of the delegates thereto."

Amendment adopted.

AMENDMENT No. 3.

Strike out the word "or," in line four of Section 2 of the printed bill, and insert in lieu thereof the word "and."

Amendment adopted.

Assembly Concurrent Resolution No. 5 ordered to print.

MOTIONS.

Mr. Sutro moved that No. 1 on file be continued until March 5, 1901.

So ordered.

At ten o'clock and fifteen minutes P. M., Mr. Cowan moved that the Assembly do now adjourn.

Motion lost.

At ten o'clock and twenty minutes P. M., the Speaker resumed the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CLAIMS

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: Your Committee on Claims, to whom was referred Assembly Bill No. 455—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 290—An Act making an appropriation to pay the claim of A I McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Also: Senate Bill No. 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Also: Senate Bill No. 476—An Act making an appropriation to pay the County of Alameda for the support of orphans, half-orphans, and abandoned children during the half year ending June 30, 1898.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HENRY, Chairman.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS—(RESUMED).

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 25.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 17 of Article XX, relating to the hours of labor on public work.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, nineteen hundred and one, two thirds of all members elected to each house concurring, hereby proposes that section seventeen of article twenty of the Constitution of said State be amended so as to read as follows, to wit:

Section 17. The time of service of all laborers or workmen or mechanics employed upon any public works of the State of California or of any county, city and county, city, town, district, township, or any other political subdivision thereof, whether said work is done by contract or otherwise, shall be limited and restricted to eight hours in any one calendar day except in cases of extraordinary emergency caused by fire, flood, or danger to life and property, or except to work upon public, military, or naval works or defenses in time of war, and the Legislature shall provide by law that a stipulation to this effect shall be incorporated in all contracts for public work and prescribe proper penalties for the speedy and efficient enforcement of said law.

Assembly Constitutional Amendment No. 25 read.

The roll was called, and Assembly Constitutional Amendment No. 25 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Gans, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—57

NOES—Messrs. Anderson of Santa Clara, and Foster—2.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 24.

A resolution proposing to the people of the State of California an amendment to the Constitution of the State, by amending Section 12 of Article XIII of said Constitution, so as to abolish poll-taxes in the State of California.

The Legislature of the State of California, at its thirty-fourth session, commencing on the seventh day of January, nineteen hundred and one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes that section twelve of article thirteen of the Constitution of the State of California be amended so as to read as follows:

Section 12 (Article XIII of the Constitution). No poll-tax shall ever be levied upon the voters, or persons entitled to become voters, of this State.

Assembly Constitutional Amendment No. 24 read.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result of the vote, Mr. Guilfoyle moved a call of the House.

The roll was called, and the following answered to their names:

Messrs. Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, Johnson, Kelley, Kincaid, Knight, Laird, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.

Mr. Johnson moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and Assembly Constitutional Amendment No. 24 adopted by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Berry, Brady, Broughton, Butler, Chiles, Clarke, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen,

Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Laird, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—55

NOES—Messrs. Brown of San Mateo, Carter, Dunlap, Duryea, and Roberts—5.

ADJOURNMENT.

At ten o'clock and forty-five minutes P. M., on motion of Mr. Ralston, the Assembly adjourned until ten o'clock A. M. of Saturday, March 2, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 2, 1901.

The Assembly met at ten o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—71.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Webber, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, February 28, 1901, was read, corrected, and approved.

WITHDRAWAL AND SUBSTITUTION OF BILLS.

Mr. Johnson moved that Senate Bill No. 321 be substituted for Assembly Bill No. 366, they being identical.

So ordered.

Mr. Webber moved that Senate Bill No. 416 be recalled from Committee on Hospitals and Asylums, and that Substitute for Assembly Bill No. 548 be recalled from engrossment and withdrawn.

So ordered.

SPECIAL ORDER SET.

Mr. Greer moved that Assembly Bill No. 812 be taken up for consideration, under suspension of the rules.

So ordered.

Assembly Bill No. 812 (Committee Substitute for Assembly Bill No. 498)—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, and 2094, to repeal Sections 1981, 1983, 1990, 1992, and 2032, and to add a new section, to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard.

Read second time, ordered to engrossment and third reading.

Mr. Greer moved that Assembly Bill No. 812 be made special order for Tuesday, March 5, 1901.

So ordered.

PETITIONS.

By Mr. Savage:

LOS ANGELES, CAL., February 26, 1901.

The undersigned merchants of the City of Los Angeles respectfully protest against the passage of Assembly Bill No. 664. The bill as proposed will throw the greatest of obstacles in the way of doing business in nearly all lines, especially machinery, farm implements, and house furnishings, and other merchandise usually sold on the monthly payment plan. It will work great hardship for the merchants, in compelling them to forego the major portion of their business on account of having no security whatever, but the greatest hardship will fall on the wage-earners and salaried persons, who cannot buy goods on any other but a monthly payment plan.

Newell-Mathews Co., A. J. Botts, Hawley, King & Co., I. H. Reynolds & Co., B. Hayman, Baker & Hamilton, California Implement Co., Arnott & Co, E. P. Bosbyshell, J. A. Haskell (Los Angeles), and nine other firms.

Ordered printed in Journal.

Also: Similar petition, signed as follows:

Southern California Music Co, Williamson Bros, Exton Music Co., Broadway Bank & Trust Co., W. Billington Co, The Bartlett Music Co., Los Angeles Furniture Co, W C. Patterson, Los Angeles National Bank, Southern California Savings Bank (Los Angeles), and nine others.

Ordered printed in Journal.

By Mr. John:

To the HON. WARREN M. JOHN, *Assemblyman representing Assembly District No. 67*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the Tax Collector. To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust. We, therefore, your constituents, request that you vote against this bill, to the end it may not become a law.

J. W. Brown, Neil Stewart, J. G. Buffington, Isaac Baird, A. C. Buffington, A. W. Buffington (of Cayucos), W. B McKennon, H. W. Halstead, J. M. Rutan, John H. W. Schneider (of Morro); and twenty-three others

Ordered printed in Journal.

Also:

ESTRELLA, CAL., February 25, 1901.

To the HON. WARREN M. JOHN, *member of the Legislature, Sacramento, Cal.:*

DEAR SIR: We, the undersigned voters in San Luis Obispo County, California, respectfully urge you to use your best endeavors to secure the passage of Senate Bills Nos. 252 and 355, for which your petitioners will forever pray.

J. P. Gerrier, E H Fritzinger, Thos E. Gates, Wm. McLean, Cas J. Weir, E. Fowler, Wm. Sinclair, Jed Mills, R. R. Kirkpatrick, J. W. Turner (of Estrella), and ten others.

Read, and ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year—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 appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School

Also: Senate Bill No. 785—An Act to appropriate the sum of $400 to pay the claim of James W. Travers, for money due and owing the said James W. Travers from the State of California.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Committee Substitute for Senate Bill No. 356—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Bateman Bros. for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Also: Committee Substitute for Senate Bills Nos 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Also: Assembly Bill No. 688—An Act entitled "An Act to pay the claim of Fred Mason for towel service furnished the Board of Public Works during the forty-eighth fiscal year."

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Senate Bill No 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

FISK, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No 764—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

BERRY, Acting Chairman.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 692—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, recommend that it be referred to Committee on Judiciary.

Also: Assembly Bill No. 777—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No 867—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding a new section thereto, to be designated as Section 214¼, creating the office of humane officer in counties of the third class, providing for his appointment and fixing the term of office, duties, and compensation of such officer

Recommend that they do not pass.

Also: Assembly Bill No 745—An Act to amend Section 56 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to officers of a township.

Also: Assembly Bill No 823—An Act to establish a uniform system of township governments, and providing for submitting the same to a vote of the people of the several counties in this State.

Report the same back without recommendation

Also: Assembly Bill No. 829—An Act to amend Section 167 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No 854—An Act to amend Section 173 of "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to compensation of county and township officers.

Also: Assembly Bill No 864—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the salaries of members of the County Board of Education.

Also: Assembly Bill No. 865—An Act to amend Section 170 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts, in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

McWADE, Chairman.

Assembly Bill No. 692 referred to Committee on Judiciary.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Assembly Bill No 722—An Act to prohibit the paying of employés while he or they are in any public saloon, or bar-room, or restaurant—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass with one amendment.

WEBBER, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 377—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims—report the same back without recommendation.

Also: Senate Bill No. 479—An Act to amend Section 1000 of the Political Code, relating to appointive power of the Governor—report the same back with the recommendation that it do pass.

JOHNSON, Chairman.

Mr. Webber moved that Senate Bill No. 479 be taken up for consideration.

So ordered.

Senate Bill No. 479—An Act to amend Section 1000 of the Political Code, relating to appointive power of the Governor.

Read second time, and ordered on Senate Special File for third reading.

SUBSTITUTION OF BILL.

Mr. Schlesinger moved that Assembly Bill No. 873 be substituted for Assembly Bill No. 220.

So ordered.

RESOLUTION.

By Mr. Melick:

Inasmuch as the Assembly is going to take up second-reading file this afternoon, *Resolved*, That such file be taken up in the following manner: Let the names of the members present be called in alphabetical order, and then let each member present be permitted to have such bill read the second time as he may desire

Referred to Committee on Rules and Regulations.

MOTION.

Mr. Johnson moved that all the bills on second-reading file referring to elections and primary elections, Assembly Bill No. 109 (15 on file), be made special order for Monday, March 4, 1901, at seven o'clock and thirty minutes P. M.

Referred to Committee on Rules and Regulations.

At ten o'clock and forty-five minutes A. M., the Speaker called Mr. Guilfoyle to the chair.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 556—An Act to add a new section to the Penal Code, to be numbered 380*a*, relating to the regulation of the marking identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 556—An Act to add a new section to the Penal Code, to be numbered 380*a*, relating to the regulation of the marking, identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes.

Read first time, and referred to Committee on Mines and Mining Interests.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Also: Assembly Bill No 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Also: Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing, or defacing marks and brands on domestic animals.

Also: Assembly Bill No 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health.

Also: Assembly Bill No 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations

Also: Amended, and passed as amended, Assembly Bill No 430—An Act to add a new section to the Penal Code, to be known and numbered as Section 381*a*.

Also: Assembly Bill No. 563—An Act to add a new section to the Penal Code, to be known and numbered 679*a*, regulating and limiting the sale of convict-made articles, and providing a penalty for the violation of the same.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 53, 283, 285, 559, and 757 ordered to enrollment.

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test-bottles, or other appliances, showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by inserting after the word "richness," line seven, the words "or weight."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Macbeth, Mattos, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—56

NOES—None.

Assembly Bill No. 430 ordered to enrollment.

Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by adding to Section 1, after "Section 1," the words, "A new section is hereby added to the Penal Code, to be known and numbered 679*a*, and to read as follows:
"SEC. 679*a*. 1."
Also: In line one of Section 2 strike out the word "Sec," at beginning of Section 2.
Also: Strike out all of Section 3, and change "SEC. 4" to "SEC. 3."
Also: Add to title, after "An Act," the words "to add a new section to the Penal Code, to be known and numbered 679*a*."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Macbeth, Mattos, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, and Webber—56.
NOES—None.

Assembly Bill No. 563 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 129—An Act to permanently locate the boundary line between the counties of Shasta and Plumas
Also: Senate Bill No. 131—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas
Also: Senate Bill No 132—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.
Also: Senate Bill No. 272—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California
Also: Senate Bill No 274—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor
Also: Senate Bill No. 331—An Act to add two new sections to the Political Code, to be numbered 3805*a* and 3805*b*, to reenact Section 3859 of said code, to amend Sections 3629, 3632, 3638, 3649, 3747, 3785, 3790, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said code, and to repeal Section 3640 of said code, all relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 129—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 131—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 132—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Read first time, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 272—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Read first time, and referred to Committee on State Hospitals and Asylums.

Senate Bill No. 274—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read first time, and referred to Committee on State Hospitals and Asylums.

Senate Bill No. 331—An Act to add two new sections to the Political Code, to be numbered 3805*a* and 3805*b*, to reënact Section 3859 of said code, and to amend Sections 3629, 3632, 3638, 3649, 3747, 3785, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said code, all relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 333—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Wm. Cronan for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Also: Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections of the Napa State Hospital at Napa

Also: Senate Bill No. 470—An Act to establish police courts in cities of the third class, to fix their jurisdiction and provide for officers of said courts, and fix the compensation of certain officers thereof.

Also: Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Also: Senate Bill No. 571—An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California, located on the waterfront at San Francisco, California.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 333—An Act making an appropriation to pay the claim of William Cronan, for extra work performed in the construction of the Union Depot and Ferry House at San Francisco.

Read first time, and ordered on file, it being identical with Assembly Bill No. 437.

Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections of the Napa State Hospital at Napa.

Read first time, and referred to Committee on State Hospitals and Asylums.

Senate Bill No. 470—An Act to establish police courts in cities of the third class, to fix their jurisdiction, and provide for officers of said courts and fix the compensation of certain officers thereof.

Read first time, and ordered on file, it being identical with Assembly Bill No. 840.

Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Read first time, and referred to Committee on Public Works, State Capitol, and Parks.

Senate Bill No. 571—An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the waterfront at San Francisco, California.

Read first time, and ordered on file, it being identical with Assembly Bill No. 770.

Also:

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted 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 IV thereof a new section, to be known as Section 25½, relating to the division of the State into fish and game districts.

Also: Senate Constitutional Amendment No. 20—Resolution proposing to the people of the State of California an amendment to the Constitution by adding a new section to Article IV thereof, relating to establishing State highways, and providing for the construction and maintenance thereof.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Constitutional Amendment No. 18 read, and referred to Committee on Fish and Game.

Senate Constitutional Amendment No. 20 read, and referred to Committee on Roads and Highways.

LEAVE OF ABSENCE.

Messrs. Savage and Mattos were granted leave of absence from twelve o'clock M. to-day until Monday morning.

MOTIONS FOR PERMISSION TO INTRODUCE BILLS.

Mr. Carter moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California."

Referred to Committee on Introduction of Bills.

Also: "An Act to amend Section 352 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and terms of office of members of the Board of Equalization."

Referred to Committee on Introduction of Bills.

SPECIAL ORDER.

Assembly Bill No. 764 (Committee Substitute for Assembly Bill No. 120)—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Barnes, Bennink, Berry, Brady, Broughton, Carter, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, Kelley, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Ralston, Reeber, Roberts, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—50.

NOES—Messrs. Brown of San Mateo, Felix, James, John, Kincaid, Myers, Ray, and Stewart of San Diego—8.

Title read and approved.

UNFINISHED BUSINESS.

Assembly Bill No. 851—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the thirty-fourth session of the Legislature, and directing the State Controller and State Treasurer to make such transfer.

The question being, "Shall the bill become a law notwithstanding the Governor's objections?"

The roll was called, and the veto sustained by the following vote:

AYES—None.

NOES—Messrs. Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Collins, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Johnson, John, Kelley, Kincaid, Knight, Knowland, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—49

Assembly Bill No. 377—An Act to amend Section 1329 of the Penal Code, in relation to witnesses.

The question being, "Shall the bill become a law notwithstanding the Governor's objections?"

The roll was called, and the veto sustained by the following vote:

AYES—Mr. Sheridan—1.

NOES—Messrs Anderson of Solano, Atherton, Barnes, Berry, Broughton, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kelley, Knight, Knowland, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—50.

Assembly Bill No. 269—An Act appropriating money for establishing an ice-making and refrigerating plant at the Preston School of Industry.

The question being, "Shall the bill become a law notwithstanding the Governor's objections?"

The roll was called, and the veto sustained by the following vote:

AYES—None

NOES—Messrs Anderson of Solano, Anderson of Santa Clara, Barnes, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Collins, Cromwell, Dunlap, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hasson, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—52.

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

Report of Committee on Commissions and Public Expenditures, as published in yesterday's Journal, page twenty-six, read and adopted.

Report of Committee on Commissions and Public Expenditures, relative to Paris Exposition investigation, read and adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Assembly Bill No. 847—An Act adding a new section to the Penal Code, to be numbered Section 653*i*, relating to the discharge of firearms within one half mile of any State hospital for the care and treatment of the insane—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

SCHILLIG, Chairman.

ASSEMBLY SPECIAL FILE—SECOND AND THIRD READING OF BILLS.

Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

Read second time.

Mr. Myers 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. 207.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 207 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

GENTLEMEN: Your Committee of the Whole have had under consideration Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor—and do now report the same back, and recommend that it do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 207 ordered to engrossment and third reading.

Assembly Bill No. 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Broughton, Brown of San Mateo, Carter, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Walker, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 737 (Committee Substitute for Assembly Bill No. 420)—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital to repair the boilers in the engine-room of the male department.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Benmink, Berry, Broughton, Brown of San Mateo, Carter, Collins, Cowan, Cromwell, Dunlap, Evatt, Foster, Gans, Greer, Haley, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Greer moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort."

Referred to Committee on Introduction of Bills.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 506—An Act making an appropriation to pay for an air-compressor and a turning lathe for the State Prison at Folsom.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Clarke, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Johnson, John, Kelley, Kincaid, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—Messrs. Anderson of Solano, Cowan, James, and Laird—4.

Title read and approved.

Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor.

Read third time, and passed on file.

RECESS.

At twelve o'clock M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

REPORTS OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution of Mr. Melick, respectfully report the same back with the recommendation that the following be adopted as a substitute:

Resolved, That in considering the second-reading file at the session of the House to be held at two o'clock P M. of this day, all bills on said file the author of which shall be absent shall be passed on the file, unless otherwise ordered by the House.

DUNLAP, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901

MR SPEAKER: Your Committee on Rules and Regulations, to whom was referred the resolution by Mr Johnson relative to election laws, respectfully report the same back with the recommendation that the same be adopted.

DUNLAP, Chairman.

Report adopted.

BILLS RECALLED FROM COMMITTEES AND PLACED ON FILE.

Mr. Stewart of San Diego moved that Senate Bill No. 614 be recalled from Committee on Agriculture and placed on Senate Special File as substitute for Assembly Bill No. 792, they being identical.

Mr. Fisk moved to recall from Committee on Ways and Means Senate Bill No. 304 and place it on Senate Special File, it being identical with Assembly Bill No. 371.

So ordered.

SECOND-READING FILE.

Mr. Cromwell moved to transpose on file Assembly Bill No. 754 (375 on file) and Assembly Bill No. 257 (243 on file).

So ordered.

Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads.

Read second time, ordered to engrossment and third reading.

At two o'clock and twenty minutes P. M., the Speaker called Mr. Guilfoyle to the chair.

Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted.

Read second time.

The following committee amendment was submitted:

Amend the bill so as to make it read as follows.

AN ACT

To amend the Code of Civil Procedure of the State of California by adding thereto six new sections, to be numbered 710, 711, 712, 713, and 713*a* and 713*b*, to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor, to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking, in case any objection made is sustained by the court, or admitted.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The Code of Civil Procedure of the State of California is hereby amended by adding six new sections thereto, to be numbered 710, 711, 712, 713, 713*a*, and 713*b*, so as to read as follows:

710. Where property levied upon under execution to satisfy a judgment for the payment of money is claimed, in whole or in part, by a person, corporation, partnership, or association other than the judgment debtor, such claimant may give an undertaking, as provided in this and five following sections, which undertaking shall release the property in the undertaking described from the lien and levy of such execution.

711. Such undertaking, with four sureties, shall be executed by the person, corporation, partnership, or association claiming in whole or in part the property upon which execution is levied in double the estimated value of the property claimed by the person, corporation, partnership, or association; *provided*, in no case need such undertaking be for a greater sum than double the amount for which the execution is levied, and where the estimated value of the property so claimed by the person, corporation, partnership, or association is less than the sum for which such attachment is levied, such estimated value shall be stated in the undertaking, and said undertaking shall be conditioned that if the property claimed by the person, corporation, partnership, or association is finally adjudged to be the property of the judgment debtor, said person, corporation, partnership, or association will pay of said judgment upon which execution has issued a sum equal to the value, as estimated in said undertaking, of said property claimed by said person, corporation, partnership, or association, and said property claimed shall be described in said undertaking. Said undertaking shall be filed in the action in which said execution issued, and a copy thereof served upon the judgment creditor or his attorney in said action.

712. Within ten days after the service of the copy of undertaking, the judgment creditor may object to such undertaking on the ground of inability of the sureties, or either of them, to pay the sum for which they become bound in said undertaking, and upon the ground that the estimated value of property therein is less than the market value of the property claimed. Such objection to the undertaking shall be made in writing, specifying the ground or grounds of objection, and if the objection is made to the undertaking that the estimated value therein is less than the market value of the property claimed, such objection shall specify the judgment creditor's estimate of the market value of the property claimed. Such written objections shall be served upon the person, partnership, corporation or association giving such undertaking and claiming the property therein described.

713. When the sureties, or either of them, are objected to as provided in Section 712, the surety or sureties so objected to shall justify before the court out of which such execution issued, upon ten days' notice of the time when they will so justify being

given to the judgment debtor or his attorney. Upon the hearing and examination into the sufficiency of a surety, witnesses may be required to attend and evidence may be procured and introduced in the same manner as in trial of civil cases. Upon such hearing and examination, the court shall make its order, in writing, approving or disapproving the sufficiency of the surety or sureties on such undertaking. In case the court disapproves of the surety or sureties on any undertaking, a new undertaking may be filed and served, and to any undertaking given under this or the following section the same objection to the sureties may be made, and the same proceedings had as in case of the first undertaking filed and served.

713*a*. When objection is made to the undertaking upon the ground that the estimated value of the property claimed, as stated in the undertaking, is less than the market value of the property claimed, the person, corporation, partnership, or association may accept the estimated value stated by the judgment creditor in said objection, and a new undertaking may be at once filed with the judgment creditor's estimate stated therein as the estimated value, and no objection shall thereafter be made upon that ground; if the judgment creditor's estimate of the market value is not accepted, the person, corporation, partnership, or association giving the undertaking shall move the court in which the execution issued, upon ten days' notice to the judgment creditor, to estimate the market value of the property claimed and described in the undertaking, and upon the hearing of such motion witnesses may be required to attend and testify, and evidence be produced in the same manner as in the trial of civil actions. Upon the hearing of such motion, the court shall estimate the market value of the property described in the undertaking, and if the estimated value made by the court exceeds the estimated value as stated in the undertaking, a new undertaking shall be filed and served, with the market value determined by the court stated therein as the estimated value. The sureties shall justify on the undertaking as required by section one thousand and fifty-seven of the Code of Civil Procedure.

713*b*. The undertaking shall become effective for the purpose in Section 710 specified ten days after service of copy thereof on the judgment debtor, unless objection is made to such undertaking is made as herein provided, and in case objection is made to any undertaking filed and served, then the undertaking shall become effective for such purposes when an undertaking is given which is approved by the court upon the hearing of such objection.

Amendment adopted.

Assembly Bill No. 685 ordered to print, engrossment, and third reading.

Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Read second time.

Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Guilfoyle in the chair, for the purpose of considering Assembly Bill No. 258.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Guilfoyle in the chair.

Assembly Bill No. 258 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Guilfoyle in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

GUILFOYLE, Chairman.

Report adopted.

Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway from a point on the

Lake Tahoe State Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

The following committee amendments were submitted:

Amend by striking out the words and figures "$33,000 is hereby made available from and after the first day of July, A. D 1901," in lines four, five, and six, Section 3, second page, printed bill, and inserting in lieu thereof the following: "$22,000 is made available from and after the first day of January, A. D. 1902"

Amendment adopted.

Also:

Amend by striking out the words "thirty-six thousand dollars," in line three, Section 1, first page, printed bill, and inserting the words "twenty-five thousand dollars."

Amendment adopted.

Assembly Bill No. 258 ordered to print, engrossment, and third reading.

Mr. Roberts moved that Assembly Bill No. 426 and Assembly Bill No. 26 be transposed on file.

So ordered.

Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

Read second time, ordered to engrossment and third reading.

At two o'clock and forty minutes P. M., Speaker Pendleton resumed the chair.

Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park.

Read second time.

Mr. Laird 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. 873 (Committee Substitute for Assembly Bill No. 220).

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220) was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 873—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 873 ordered to engrossment and third reading.

Mr. Johnson moved to transpose on file Assembly Bill No. 711 (436 on file) and Assembly Bill No. 148 (215 on file).

So ordered.

Assembly Bill No. 711—An Act entitled "An Act to amend 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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

On page one, Section 1, printed bill, line nine, after the word "follows," insert the words "Section fifteen and one half of the above entitled Act is hereby added, to read as follows:

"Section 15½. The board of directors, when they deem it advisable for the best interests of the district, and the convenience of the electors thereof, may at any time, but not less than sixty days before an election to be held in the district, change the boundaries of the divisions and election precincts of the district; *provided*, such changes shall be made to keep each division as nearly equal in area and population as may be practicable Said change of boundaries of the divisions must be shown on the minutes of the board."

Amendment adopted.

AMENDMENT No. 2.

On page two, Section 15½, printed bill, line ten, after the word "directors," strike out the words "of any irrigation district now or that may hereafter be organized in this State."

Amendment adopted.

AMENDMENT No. 3

On page two, Section 15½, printed bill, in line eleven, after the word "shall," insert the word "also."

Amendment adopted.

AMENDMENT No. 4.

On page two, Section 15½, printed bill, line fourteen, after the word "*provided*," strike out the words "that any owner of water whose lands lie within the district shall have the preferred right to lease the canals and works, when such leasing is in contemplation," and insert the words "that when the board wishes to lease said canals and works, they shall give notice by publishing the same in some newspaper published in the county in which such district is located, once each week for three consecutive weeks next prior to the making of any lease, and such lease shall be made to the highest bidder therefor, and such lease shall not be construed as infringing or affecting any rights now or on the date of such lease established or vested by law."

Amendment lost.

Assembly Bill No. 711 ordered to print, engrossment, and third reading.

Mr. Hanen moved to transpose on file Assembly Bill No. 816 (448 on file) and Assembly Bill No. 450 (217 on file).

So ordered.

Assembly Bill No. 816—An Act to amend Subdivision 16 of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relative to the powers of Boards of Supervisors.

Read second time, ordered to engrossment and third reading.

Mr. Kelley moved to transpose on the file Assembly Bill No. 456 (254 on file) and Assembly Bill No. 532 (218 on file).

So ordered.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate

to be fixed annually by them, upon certain named persons, occupations, and business.

Read second time, ordered to engrossment and third reading.

The question being on the adoption of Amendment No. 21 to Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502), as submitted by Mr. Schlesinger.

Roll call was demanded by Messrs. Schlesinger, Ray, and John.

The roll was called, and the amendment lost by the following vote:

AYES—Messrs. Chiles, Collins, Evatt, Feliz, Fisk, Haley, Hourigan, John, Kincaid, Laird, Macbeth, McLoughlin, Ray, Schlesinger, and Treadwell—15.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Clarke, Cowan, Cromwell, Dunlap, Foster, Gans, Greer, Hasson, Higby, James, Johnson, Knowland, Levinson, McNeil, McWade, Merritt, Milice, Myers, Ralston, Roberts, Rutherford, Schilig, Sheridan, Stewart of San Diego, Sutro, Walker, Williams, Wright, and Mr. Speaker—37.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rules:

That from and after March 5, 1901, no more bills shall be placed on the Special Urgency File until all bills on said file have been disposed of

That from and after said 5th day of March, 1901, there shall be no substitutions on said Special Urgency File.

DUNLAP, Chairman.

Ordered printed in the Journal, to be considered Monday, March 4, 1901.

MOTION.

Mr. Johnson moved that when the Assembly adjourn to-day, it be until ten o'clock A. M. of Monday, March 4, 1901.

So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 264—An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties.

Assembly Bill No. 231—An Act to amend Section 571 of the Civil Code.

Assembly Bill No. 397—An Act to amend Section 1 of an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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.

And were presented to the Governor this day at ten o'clock and ten minutes A M

G. H. ANDERSON, Acting Chairman.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No 547—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

McWADE, Chairman.

TIME OF RECESS EXTENDED.

At four o'clock and twenty minutes P. M., Mr. Fisk moved that time of recess be extended until Assembly Bill No. 875 be disposed of, and

that said bill be reported from committee on engrossment and enrollment out of order.

So ordered.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following bills, herewith return the same with the recommendation that the authors be permitted to introduce them. The numbers of said bills are as follows:

Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Assembly Bill No 878—An Act to amend Section 352 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and term of office of members of the Board of Equalization.

Assembly Bill No 879—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

RALSTON, Chairman.

CALL OF THE HOUSE.

The roll was called, and, pending announcement of the result, Mr. Ralston moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Haley, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr. Speaker—51.

The absentees were called, and permission to introduce bills given by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Haley, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr Speaker—56.

NOES—Mr. Bauer—1.

INTRODUCTION OF BILLS.

By Mr. Carter: Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Read first time, and ordered on file for second reading.

Also: Assembly Bill No. 878—An Act to amend Section 2 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and term of office of members of the Board of Equalization.

Read first time, and ordered on file for second reading.

By Mr. Greer: Assembly Bill No. 839—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

Read first time, and placed on file.

SPECIAL ORDER SET.

Mr. Cowan's motion to reconsider vote whereby Assembly Constitutional Amendment No. 21 was adopted was continued, and made special order for Tuesday morning, March 5, 1901.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 1, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Assembly Bill No. 526—An Act to pay the claim of Louise Rienzi against the State of California.

Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts.

Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of the Agnews State Hospital, and appropriating money therefor.

Assembly Bill No. 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Assembly Bill No. 661—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

BERRY, Acting Chairman.

Mr. Ray moved that the Assembly do now consider Senate message. So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 1, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice; said section to be numbered 181

Also: Assembly Bill No. 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors.

Also: Amended, and passed as amended, Assembly Bill No 281—An Act to provide for the location and construction of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River, and placing the same under the management and control of the Department of Highways, and making an appropriation therefor, and repealing an Act entitled "An Act to appropriate money for the survey, location, and construction of a free wagon road from the Town of Mariposa, in Mariposa County, to the Yosemite Valley," approved March 26, 1895—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed Senate Bill No. 552—An Act creating the office of Game Commissioner and defining his duties.

Also: Adopted Senate Concurrent Resolution No 14—Approving amendments to 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 5th day of February, 1901

Also: Refused passage to Assembly Bill No 334—An Act defining investment companies, and regulating and governing corporations, associations, and individuals engaging in the business of placing or selling debentures, bonds, or certificates of investment by whatsoever name such debentures, bonds, or certificates may be designated, and to protect the holders thereof and placing them under the supervision of the Bank Commissioners.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 768 and 769 ordered to enrollment.

Senate Bill No. 552—An Act creating the office of Game Commissioner and defining his duties.

Read first time, and referred to Committee on Fish and Game.

Senate Concurrent Resolution No. 14—Relative to approving amendments to 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 5th day of February, 1901.

Referred to Committee on Municipal Corporations.

Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1.

Strike out the preamble in the printed bill.

AMENDMENT No. 2.

Amend the title by adding after the word "thereof" the following: "and repealing an Act entitled 'An Act to appropriate money for the survey, location, and construction of a free wagon road from the Town of Mariposa, in Mariposa County, to the Yosemite Valley,' approved March 26, 1895."

AMENDMENT No. 3.

Amend Section 1 by adding at the end of the section, in the printed bill, the following: "Of the money herein appropriated, the sum of five thousand dollars ($5,000) shall become available immediately, and the remaining sum of forty-five thousand ($45,000) dollars shall become available whenever the Congress of the United States shall have made an appropriation for the continuation of the road herein provided for, from the line of the Yosemite National Park to the line of the Yosemite Valley."

AMENDMENT No. 4

Amend by adding a new section (Section 4), to read as follows:

"SEC. 4. An Act entitled 'An Act to appropriate money for the survey, location, and construction of a free wagon road from the Town of Mariposa, in Mariposa County, to the Yosemite Valley,' approved March 26, 1895, is hereby repealed."

AMENDMENT No. 5.

Change the number of present Section "4" of the printed bill to Section "5."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Haley, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Treadwell, Walker, Williams, Wright, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 281 ordered to print and enrollment.

SPECIAL ORDER SET.

Mr. Cowan moved that Assembly Bill No. 505 (185 on file) be made special order for Monday, March 4, 1901.

So ordered.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502)—An Act to amend the Penal Code of the State of California, relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

Pending discussion, Mr. Sutro moved to extend time for debate half an hour.

So ordered.

The following amendments were offered:
By Mr. Duryea:

Amend by striking out the word "October," in line three of Section 7, page two, printed bill, and inserting in lieu thereof the word "November."

Amendment lost.
By Mr. Greer:

Amend by striking out of Section 12, lines six, seven, and eight, the words "wild pigeon, dove, or any kind of wild duck, rail, curlew, snipe."

Amendment adopted.
Also:

Amend by striking out of Section 16, lines nine and ten, the words "dove, wild pigeon, or any wild duck, rail, snipe, curlew."

Amendment lost.
Also:

Amend by striking out of Section 17, lines eight and nine, the words "or more than fifty wild ducks."

Amendment lost.
Also:

Amend by striking out of Section 5, line six, the words "or more than fifty ducks."

Amendment lost.
By Mr. Johnson:

Amend by striking out the words "or any English or Wilson snipe," in line eleven of Section 1 of printed bill.

Amendment adopted.
By Mr. Stewart of Amador:

Amend by striking out the word "July," in line five of Section 2, page two, and inserting in lieu thereof the word "August."

Amendment adopted.
By Mr. Sheridan:

Amend by striking out of Section 12, lines three, four, and five, the words "cold storage company, person keeping a cold storage warehouse, tavern or hotel keeper, restaurant or eating-house keeper, marketman, or other."

Amendment adopted.
By Mr. Higby:

Amend in Section 20, line seventeen, after the word "the," by inserting the words "Game Commissioner or the."

Amendment adopted.
Also:

Amend in Section 13, line eight, after the word "the," by inserting the words "Game Commissioner or the."

Amendment adopted.
Also:

Amend in Section 18, line thirteen, after the word "the," by inserting the words "Game Commissioner."

Amendment adopted.
Also:

Amend in Section 16, line sixteen, after the word "the," by inserting the words "Game Commissioner or the."

Amendment adopted.

By Mr. Schlesinger:

Amend by striking out the enacting clause.

Amendment lost.

By Mr. Feliz:

Amend by inserting after the word "commissioners," in line fourteen, Section 18, page six of the printed bill, a new section, to be numbered six hundred and thirty-one *a*, to read as follows:

"SEC. 631*a*. No person prohibiting the public from killing or hunting any of the game hereby protected upon such person's land or lands shall have the right to hunt or kill such game upon such land himself."

Amendment lost.

Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502) ordered to print, reëngrossment, and third reading.

MOTION.

Mr. Fisk moved that Assembly Bill No. 875 be taken up for final passage.

So ordered.

ASSEMBLY SPECIAL FILE—(RESUMED)—THIRD READING OF BILL.

Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Berry, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Haley, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Schilling, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr. Speaker—50.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1901.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No 538—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads, and confirming and ratifying leases and other contracts made by any officer or board of officers of this State—have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 837—An Act to provide for the sale of railroad and other franchises, and relative to granting of franchises—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

BROUGHTON, Chairman.

ADJOURNMENT.

At five o'clock P. M., the Assembly adjourned until ten o'clock A. M. of Monday, March 4, 1901.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 4, 1901.

The Assembly met at ten o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—75.

Quorum present.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Franklin for the day.

PRAYER.

Prayer by the Rev. W. E. Vaughn, of Sacramento.

READING OF JOURNAL.

On motion of Mr. Roberts, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Friday, March 1, 1901, was read, corrected, and approved.

MOTION.

Mr. Fisk moved that the privileges of the House be extended to Hon. L. H. Valentine, ex-member of the Legislature.

So ordered.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER. Your Committee on Ways and Means beg leave to submit its report for the week ending Saturday, March 2, 1901, as follows:

Bills Referred to this Committee Since Last Report.

Feb. 18,	Assembly Bill No 597—To provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts	$10,000 00
18,	Senate Bill No 7—To provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations	107,200 00
19,	Assembly Bill No 66—Providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, etc.	2,500 00

Feb. 19,	Assembly Bill No. 197—To appropriate $25,000 for the erection of a connecting building at the Mendocino State Hospital	$25,000 00
19,	Assembly Bill No. 198—To appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital	21,000 00
19,	Assembly Bill No. 199—To provide for an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor	7,000 00
19,	Assembly Bill No 200—To provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor	4,000 00
19,	Assembly Bill No. 153—Making an appropriation for the erection of a building for the accommodation, detention, and care of insane convicts and criminals, and for purchasing the necessary furniture, etc., and paying for the other expenses incident and relating thereunto, etc.	75,000 00
19,	Assembly Bill No. 381—To create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor	5,000 00
19,	Assembly Bill No. 438—To create the office of State Dentist for the State Insane Asylums, to prescribe his duties, and provide for the payment thereof	
19,	Assembly Bill No. 547—Making an appropriation of money for the construction and repair of the sewer pipes and connections, etc., of the Napa State Hospital	25,000 00
19,	Assembly Bill No. 548—Appropriating money for the construction of a plant for wiring the Napa State Hospital building for electric lights	3,000 00
19,	Assembly Bill No. 549—Making an appropriation of money to provide for certain improvements and repairs at the Napa State Hospital	25,000 00
19,	Assembly Bill No. 550—Appropriating money for the purchase and installation of an elevator for the Napa State Hospital	5,000 00
19,	Assembly Bill No. 551—Making an appropriation of money for the purchase of 160 acres of additional land for the use of the Napa State Hospital	10,000 00
19,	Assembly Bill No 600—Appropriating money for the payment of claims against the State arising in the County of San Luis Obispo, etc., for coyote scalps	4,500 00
19,	Assembly Bill No. 611—Making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California	1,500 00
19,	Assembly Bill No 615—To provide for the erection of water-towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor	5,000 00
19,	Assembly Bill No 619—To provide for sinking an artesian well on the grounds of Agnews State Hospital, etc	6,000 00
19,	Assembly Bill No 371—To pay the claim of Charles F. Wells against the State of California, etc	12,000 00
19,	Assembly Bill No. 617—To provide for improving the grounds of Agnews State Hospital, etc.	5,000 00
19,	Assembly Bill No. 618—To provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, etc.	25,000 00
19,	Assembly Bill No 687—Making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, etc	85 72
19,	Assembly Bill No. 697—To provide for the purchase of sewing machines for the Whittier State School, etc	500 00
19,	Assembly Bill No 698—To provide for the purchase and installation of additional bath tubs for the girls' department of the Whittier State School	500 00
19,	Assembly Bill No. 699—To provide for the purchase of library books, periodicals, and magazines for the Whittier State School, etc	500 00
19,	Assembly Bill No. 700—To provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, etc	12,000 00
19,	Assembly Bill No. 716—Authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California, including costs, etc., and transporting its troops, in aiding to suppress the insurrection in the United States in July, 1861	
19,	Assembly Bill No 752—Making an appropriation to pay the claim of W. J Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children, etc.	242 00

Feb. 19,	Assembly Bill No. 763—Making an appropriation for the propagation of steelhead trout in Humboldt County	$2,000 00
19,	Senate Bill No. 559—To amend Section 416 of the Political Code, relating to the fees to be charged by the Secretary of State, and providing for the distribution of the same	
19,	Senate Bill No 16—Providing for the acquisition, either by purchase or by the exercise of the power of eminent domain, of a certain small tract of land located in the midst of the grounds of the Veterans' Home at Yountville, etc.	5,000 00
20,	Senate Bill No 540—Making an appropriation of $200,000 for the support and maintenance of the University of California, providing for the time of the payment thereof, and prescribing the duties of the Controller and Treasurer in relation thereto	200,000 00
20,	Senate Bill No 541—Making an appropriation of $50,000 for the use and benefit of the University of California, directing the special purpose therefor, and prescribing the duties of the Controller and Treasurer in relation thereto	50,000 00
20,	Assembly Bill No. 521—Making an additional appropriation for the support and maintenance of the State Normal School at San José, etc.	40,000 00
20,	Assembly Bill No 522—Making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, etc.	55,000 00
20,	Assembly Bill No. 680—To establish a California State Poultry Experiment Farm, etc.	5,000 00
20,	Assembly Bill No. 694—To provide for the location, construction, and maintenance of a State highway, connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor	150,000 00
20,	Assembly Bill No 428—To provide for the appointment of a commission to promote prison reform, etc.	3,000 00
21,	Assembly Bill No. 733—To provide for the payment of a claim in favor of J. H. Stanley, etc.	2,100 00
21,	Assembly Bill No. 734—To pay the claim of Tyra Stanley, etc	600 00
21,	Assembly Bill No 739—To provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, etc	1,500 00
21,	Assembly Bill No. 782—Making an appropriation to pay the claim of Napa County against the State of California, for the support of indigent orphans, etc	1,447 09
21,	Assembly Bill No 806—Providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, etc.	11,000 00
25,	Assembly Bill No 524—To pay the claim of D. E. O'Keefe, for publishing summons in foreclosing interest of delinquent purchasers of State school lands	40 00
26,	Senate Bill No 195—To pay the claim of August Zimmerman	5,000 00
26,	Senate Bill No. 539—To provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, etc.	20,000 00
26,	Assembly Bill No. 364—Appropriating $89 60 to reimburse Maria Wilhartitz for moneys paid by her and received into the State Treasury as interest on a certain school land purchase, etc.	89 60
26,	Assembly Bill No 642—Appropriating $5,000 to pay the claim of Addie McGinness	5,000 00
26,	Assembly Bill No. 743—Making an appropriation to pay the claim of W. B. Fouts, etc.	300 00
26,	Assembly Bill No. 772—Appropriating money for the payment of claims against the State, arising in the County of San Mateo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," etc.	800 00
26,	Assembly Bill No 783—To pay the claim of Thomas A. Bell	177 20
26,	Assembly Bill No. 788—Appropriating money for the payment of claims against the State arising in San Bernardino County for coyote scalps	5,150 00
26,	Assembly Bill No. 358—Making an appropriation for a State prize to be competed for at the third National Bundes Shooting Festival	1,000 00
26,	Senate Bill No. 260—To provide for the completion and equipment of San Diego Normal School building	50,000 00
27,	Assembly Bill No. 12—Making an appropriation for the purchase and installment of machinery, State Printing Office	60,000 00
27,	Assembly Bill No. 851—Transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing	18,500 00
27,	Assembly Bill No. 629—Providing for the registration of, and to regulate the sale of registered commercial fertilizers	
27,	Senate Bill No. 408—To amend an Act entitled "An Act to provide for the burial of ex-Union soldiers, sailors, and marines in this State," etc., approved March 15, 1889, etc.	

Feb. 27,	Senate Bill No 356—To pay the claim of Bateman Bros.	$4,041 50
28,	Senate Bill No 222—Appropriating $611.30 to pay the claim of F. Phillips	611 30
28,	Assembly Bill No 575—To provide for the exportation of non-citizen inmates of State Hospitals for the Insane	10,000 00
28,	Assembly Bill No. 785—To pay the claim of James W Travers	400 00
25,	Assembly Bill No 849—Making appropriation to pay the contingent expenses of the Assembly	12,500 00
28,	Assembly Bill No 873—Providing for the creation and management of the California Redwood Park	250,000 00
28,	Assembly Bill No. 566—To pay the claim of Louis Schuckman	300 00
Mar. 1,	Committee Substitute for Senate Bills No. 311 and 382—Appropriating money for the payment of claims against the State, arising in the counties of Monterey and San Benito for coyote scalps	287,615 00
1,	Assembly Bill No. 856—Making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California, fifty-second fiscal year	12,000 00
1,	Senate Bill No. 265—Appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School	100,000 00
1,	Assembly Bill No. 602—To encourage the destruction of coyotes, and to provide a bounty on coyote scalps, etc.	20,000 00
1,	Assembly Bill No 688—To pay the claim of Fred Mason	21 00
1,	Assembly Bill No. 730—To pay for providing additional committee rooms in the State Capitol	35,000 00
2,	Senate Bill No 476—Making an appropriation to pay the County of Alameda for the support of orphans, half orphans, and abandoned children during the half year ending June 30, 1898	3,089 25
2,	Senate Bill No 383—Making an appropriation of $6,000 for machinery, etc, Stockton State Hospital.	6,000 00
2,	Senate Bill No. 606—Making an appropriation to pay the expenses incurred at the State Forestry Station at Chico	374 45
2,	Senate Bill No 290—To pay the claim of A. I. McSorley	87 32
2,	Senate Bill No. 58—To purchase improved machinery for the State Printing Office and Bindery	35,000 00
2,	Assembly Bill No 455—To pay the claim of John P. Dulip	6,486 86
		$1,873,757 69

Bills Reported Favorably.

Feb. 25,	Senate Bill No. 167	$2,500 00
19,	Senate Bill No 102	50,000 00
23,	Assembly Bill No. 690	200 00
23,	Assembly Bill No. 41	10,800 00
23,	Assembly Bill No 421	6,000 00
19,	Senate Bill No 238	25 20
19,	Assembly Bill No 679	4,200 00
19,	Assembly Bill No. 662	98 00
19,	Assembly Bill No. 597	10,000 00
19,	Senate Bill No. 19	10,000 00
27,	Assembly Bill No. 737	2,500 00
25,	Assembly Bill No. 687	85 72
27,	Assembly Bill No. 697	500 00
27,	Assembly Bill No 698	500 00
27,	Assembly Bill No. 699	500 00
27,	Assembly Bill No. 700	12,000 00
23,	Assembly Bill No. 716	
19,	Assembly Bill No. 763	2,000 00
23,	Assembly Bill No. 559	
25,	Senate Bill No. 16	5,000 00
23,	Senate Bill No. 540	200,000 00
23,	Senate Bill No. 541	50,000 00
27,	Assembly Bill No. 739	1,500 00
26,	Senate Bill No. 539	200,000 00
27,	Assembly Bill No. 783	177 20
26,	Senate Bill No 260	50,000 00
27,	Assembly Bill No. 851	18,500 00
28,	Assembly Bill No. 207	25,000 00
28,	Assembly Bill No. 611	1,500 00
28,	Assembly Bill No. 680	5,000 00
28,	Assembly Bill No. 694	90,000 00
28,	Assembly Bill No. 364	89 00
26,	Assembly Bill No. 257	5,000 00
27,	Assembly Bill No. 340	5,000 00
26,	Assembly Bill No. 341	20,000 00
26,	Assembly Bill No. 342	40,000 00
26,	Assembly Bill No 344	2,500 00
25,	Senate Bill No. 14	

Feb. 23,	Assembly Bill No. 238	$1,500 00
26,	Assembly Bill No. 253	5,684 27
26,	Assembly Bill No. 272	15,000 00
23,	Assembly Bill No. 422	15,000 00
26,	Assembly Bill No. 280	223 00
19,	Assembly Bill No. 634	300 00
25,	Assembly Bill No. 565	20,000 00
25,	Assembly Bill No. 198	21,000 00
26,	Assembly Bill No. 547	25,000 00
26,	Assembly Bill No. 548	3,000 00
26,	Assembly Bill No 615	2,500 00
23,	Assembly Bill No. 371	5,000 00
27,	Assembly Bill No. 752	240 00
27,	Assembly Bill No. 521	10,000 00
27,	Assembly Bill No. 522	55,000 00
28,	Assembly Bill No. 873	250,000 00
25,	Assembly Bill No. 849	12,500 00
Mar. 1,	Assembly Bill No. 199	7,000 00
1,	Assembly Bill No. 200	4,000 00
1,	Senate Bill No. 356	4,041 50
1,	Assembly Bill No. 785	400 00
1,	Committee Substitute for Senate Bills Nos. 311 and 382	287,615 00
1,	Assembly Bill No. 856	12,000 00
1,	Senate Bill No. 265	50,000 00
1,	Assembly Bill No. 688	21 00
		$1,643,199 89

Bills Reported Unfavorably.

Feb. 23,	Assembly Bill No. 603	$20,000 00
25,	Senate Bill No. 165	3,000 00
23,	Assembly Bill No. 258	36,000 00
23,	Assembly Bill No. 423	4,000 00
26,	Assembly Bill No 610	10,000 00
19,	Assembly Bill No. 601	213 36
26,	Assembly Bill No. 506	9,000 00
25,	Assembly Bill No. 153	75,000 00
26,	Assembly Bill No. 438	
26,	Assembly Bill No. 550	5,000 00
26,	Assembly Bill No. 617	5,000 00
26,	Assembly Bill No. 618	25,000 00
26,	Assembly Bill No. 428	3,000 00
27,	Assembly Bill No. 806	11,000 00
27,	Assembly Bill No. 743	300 00
		$206,513 36

Bills Reported Without Recommendation.

Feb. 23,	Assembly Bill No. 148	$107,200 00
23,	Senate Bill No. 7	107,200 00
Mar. 1,	Assembly Bill No. 195	5,000 00
		$219,400 00

Bills Withdrawn.

Feb. 26,	Assembly Bill No. 235	$182 50
26,	Assembly Bill No. 257	5,000 00
27,	Assembly Bill No. 340	5,000 00
23,	Assembly Bill No. 478	
23,	Assembly Bill No. 479	
23,	Assembly Bill No. 480	200,000 00
26,	Assembly Bill No. 304	50,000 00
25,	Assembly Bill No. 65	
26,	Assembly Bill No. 220	250,000 00
19,	Assembly Bill No. 286	2,500 00
23,	Assembly Bill No 708	50,000 00
23,	Assembly Bill No. 709	200,000 00
25,	Assembly Bill No. 66	2,500 00
26,	Assembly Bill No 549	25,000 00
19,	Assembly Bill No. 210	50,000 00
Mar. 1,	Assembly Bill No. 197	25,000 00
		$865,182 50

Recapitulation.

Total appropriations referred to this committee to date	$4,865,997 68
Total appropriations reported favorably	2,157,127 60
Total appropriations reported unfavorably	617,513 36
Total appropriations reported without recommendation	287,932 35
Total appropriations reported with the recommendation that they be withdrawn	1,114,655 75
Total appropriations remaining in the hands of the committee	658,768 62

Respectfully submitted.

FISK, Chairman.

On motion, reading dispensed with, and ordered printed in Journal.

BILL MADE "RUSH" ORDER.

Mr. Anderson moved that Assembly Bill No. 625 be made "rush" order to print.

So ordered.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $21.80 in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby authorized to pay the same, being in payment of mileage and serving of subpœnas as per resolution of February 15, 1901.

Resolution read and adopted.

By Mr. Ralston:

WHEREAS, By the terms of Senate Concurrent Resolution No. 5, adopted February 5, 1901, there was appropriated out of the Contingent Fund of the Assembly the sum of $1,000 for the purpose of defraying the expenses of the joint committee therein authorized to be appointed; be it

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of C. W. Pendleton, Speaker of the Assembly, who is hereby designated as the chairman of the Assembly committee in said resolution authorized to be appointed, for the sum of $1,000, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Resolution read and adopted.

SPECIAL ORDERS.

Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditures thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Mr. Johnson moved that Assembly Bill No. 738 be taken up and considered out of order.

So ordered.

Assembly Bill No. 738—An Act to amend Section 1197 of the Political Code, relating to elections.

Read second time, ordered to engrossment and third reading.

REPORT OF STANDING COMMITTEE—(SPECIAL ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations report the following temporary rules:

That from and after March 5, 1901, no more bills shall be placed on the Special Urgency File until all bills on said file have been disposed of.

That from and after said 5th day of March, 1901, there shall be no substitutions on said Special Urgency File.

DUNLAP, Chairman.

Report read and adopted.

MOTION.

Mr. Myers moved that third-reading file be taken up for consideration.

Motion lost.

ASSEMBLY SPECIAL FILE.

Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of Agnews State Hospital, and to appropriate money therefor.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Collins, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Haley, Hanen, Henry, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, McNeil, Milice, Miller, Myers, Radcliff, Ray, Reeber, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—51

NOES—Messrs Greer, Guilfoyle, Hasson, Melick, Ralston, Roberts, Sheridan, and Mr. Speaker—8.

Title read and approved.

Assembly Concurrent Resolution No. 5—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.

Resolution read.

The question being on the adoption of Assembly Concurrent Resolution No. 5.

Roll call was demanded by Messrs. Schlesinger, Duryea, and Sheridan.

The roll was called, and Assembly Concurrent Resolution No. 5 refused adoption by the following vote:

AYES—Messrs. Barnes, Bennink, Broughton, Butler, Carter, Cromwell, Dunlap, Duryea, Foster, Greer, Hasson, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, McNeil, Melick, Milice, Radcliff, Ray, Savage, Sutro, Treadwell, Wright, and Mr. Speaker—28.

NOES—Messrs. Anderson of Solano, Atherton, Berry, Bliss, Brady, Brown of San Mateo, Cavagnaro, Clarke, Collins, Evatt, Feliz, Guilfoyle, Haley, Hanen, Hubbard, Irish, James, John, Levinson, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, and Williams—33.

By unanimous consent, ordered that Senate Bill No. 568 be recalled from Committee on Election Laws, and placed on Senate Special File; and, it being identical with Assembly Bill No. 738, that Assembly Bill No. 738 be recalled from engrossment and withdrawn.

So ordered.

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Section 7, Article I of the Constitution of the State of California, relating to juries.

Amendment read.

The question being on its adoption.

The roll was called, and Assembly Constitutional Amendment No. 12 refused adoption by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Butler, Carter, Chiles, Clarke, Cowan, Dunlap, Duryea, Foster, Greer, Haley, Hanen, Hasson, Hubbard, Irving, James, Knowland, Laird, Levinson, McNeil, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Schillig, Simpson, Sutro, Walker, Wright, and Mr. Speaker—39.

NOES—Messrs. Brady, Brown of San Mateo, Collins, Cromwell, Evatt, Feliz, Guilfoyle, Irish, John, Kincaid, Knight, Macbeth, Radcliff, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, and Williams—21.

NOTICE OF RECONSIDERATION.

Mr. Sheridan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutionl Amendment No. 12 was this day refused adoption.

RESOLUTION—(OUT OF ORDER).

By Mr. Greer:

Resolved, That the State Printer be requested to deliver, out of order, Assembly Bill No. 879.

Resolution adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CENSUS AND APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901

MR. SPEAKER: Your Committee on Census and Apportionment, to whom was referred Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—have had the same under consideration, and respectfully report the same back with three amendments, and recommend that it do pass as amended.

CARTER, Chairman.

SPECIAL ORDER SET.

Mr. Carter moved that amendments to Senate Bill No. 447 be printed in the Journal, and that Senate Bill No. 447 and amendments be made special order for Wednesday, March 6, 1901.

So ordered.

PROPOSED AMENDMENTS TO SENATE BILL NO 447.

Amend by striking out all of Section 1 of the printed bill, and inserting the following:

SECTION 1 The State is hereby divided into forty senatorial districts, respectively numbered and constituted as follows:

1. The counties of Del Norte, Humboldt, Trinity, and Tehama shall constitute the first senatorial district

2. The counties of Modoc, Lassen, Siskiyou, and Shasta shall constitute the second senatorial district.

3 The counties of Plumas, Sierra, Nevada, and Placer shall constitute the third senatorial district.

4. The counties of Mendocino, Glenn, Colusa, and Lake shall constitute the fourth senatorial district.

5 The counties of Napa and Solano shall constitute the fifth senatorial district.

6. The counties of Butte, Yuba, Sutter, and Yolo shall constitute the sixth senatorial district.

7 The county of Sacramento shall constitute the seventh senatorial district.

8. The county of Sonoma shall constitute the eighth senatorial district.

9. The counties of Marin and Contra Costa shall constitute the ninth senatorial district.

10. The counties of El Dorado, Amador, Calaveras, Alpine, and Mono shall constitute the tenth senatorial district.

11. The county of San Joaquin shall constitute the eleventh senatorial district.

12 The counties of Tuolumne, Mariposa, Madera, Stanislaus, and Merced shall constitute the twelfth senatorial district.

13. All that portion of the county of Alameda comprising the townships of Washington, Murray, and Eden shall constitute the thirteenth senatorial district.

14. All that portion of the county of Alameda comprising the township of Alameda, all that portion of Brooklyn township lying outside of the city of Oakland, and all that portion of Brooklyn township lying within the city of Oakland lying south of East Fourteenth street, shall constitute the fourteenth senatorial district.

15. All that portion of Alameda county comprising all that portion of Brooklyn township not contained in the fourteenth senatorial district as set forth in this act, and all that further portion of the county of Alameda bounded as follows. Commencing at a point on the western boundary of Brooklyn township at a point where said boundary line is intersected by Thirteenth street, thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline, Adeline to Parker, Parker to Grant, Grant to the northerly boundary line of the city of Berkeley, thence easterly along said northerly boundary line of the city of Berkeley to the boundary line of the county of Alameda; thence easterly and southerly along said boundary line of the county of Alameda to a point where intersected by the westerly boundary line of Brooklyn township; thence southerly and westerly along said boundary line of Brooklyn township to the point of beginning, shall constitute the fifteenth senatorial district.

16 All that portion of the county of Alameda bounded as follows: Commencing at a point on the westerly boundary line of Brooklyn township where intersected by Thirteenth street extended, thence along the center of the following streets. Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline, Adeline to Parker, Parker to Grant, Grant to the northerly boundary line of the city of Berkeley; thence easterly along said northerly boundary line of the city of Berkeley to the intersection of the northerly boundary line of the county of Alameda; thence northerly and westerly along said northerly boundary line of Alameda county to the intersection of the westerly boundary line of the county of Alameda; thence southerly along said westerly boundary line of Alameda county to the southerly boundary line of the city of Oakland, in Oakland creek; thence easterly along the southerly boundary line of the city of Oakland, in said creek, to the point of intersection of the boundary line between the sixth and seventh wards of the city of Oakland; thence northerly along said line to the point of beginning, shall constitute the sixteenth senatorial district.

17 All that portion of the city and county of San Francisco comprised within the boundaries of the twenty-eighth and twenty-ninth assembly districts, as fixed and described in this act, shall constitute the seventeenth senatorial district.

18 All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-first and thirty-sixth assembly districts, as fixed and described in this act, shall constitute the eighteenth senatorial district

19 All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-second and thirty-fifth assembly districts, as fixed and described in this act, shall constitute the nineteenth senatorial district.

20. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-third and thirty-fourth assembly districts, as fixed and described in this act, shall constitute the twentieth senatorial district.

21. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-seventh and thirty-eighth assembly districts, as fixed and described in this act, shall constitute the twenty-first senatorial district.

22 All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-ninth and fortieth assembly districts, as fixed and described in this act, shall constitute the twenty-second senatorial district

23. All that portion of the city and county of San Francisco comprised within the boundaries of the thirtieth and forty-second assembly districts, as fixed and described in this act, shall constitute the twenty-third senatorial district.

24 All that portion of the city and county of San Francisco comprised within the boundaries of the forty-third and forty-fourth assembly districts, as fixed and described in this act, shall constitute the twenty-fourth senatorial district.

25. All that portion of the city and county of San Francisco comprised within the boundaries of the forty-first and forty-fifth assembly districts, as fixed and described in this act, shall constitute the twenty-fifth senatorial district

26 The county of Fresno shall constitute the twenty-sixth senatorial district.

27. All that portion of the county of Santa Clara embraced in the precincts of Agnews, Alviso, Berryessa, Cupertino, Hester, Jefferson, Mountain View number one, Mountain View number two, Mayfield number one, Mayfield number two, Milpitas, Orchard, Palo Alto, Saratoga, University, and the first, second, and fourth wards of the city of San José shall constitute the twenty-seventh senatorial district

28. All that portion of the county of Santa Clara not included in the twenty-seventh district shall constitute the twenty-eighth senatorial district.

29. The counties of San Mateo and Santa Cruz shall constitute the twenty-ninth senatorial district.

30. The counties of San Bernardino and Inyo shall constitute the thirtieth senatorial district

31. The counties of Monterey, San Benito, and San Luis Obispo shall constitute the thirty-first senatorial district.

32. The counties of Kern, Tulare, and Kings shall constitute the thirty-second senatorial district.

33 The counties of Santa Barbara and Ventura shall constitute the thirty-third senatorial district

34. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Catalina, San Pedro numbers one, two, and three; Wilmington, Compton numbers one and two; Florence, Redondo City, Wiseburn, Gardena, Hyde Park, Ballona, Santa Monica City numbers one, two, and three; San Vicente, National Military Home numbers one, two, three, four, and five; Monte Vista, Cahuenga, and Los Angeles city precincts numbered seventy, seventy-one, seventy-two *a*, seventy-two *b*, seventy-three *a*, seventy-three *b*, seventy-four, seventy-five, seventy-six, seventy-seven; Calabasas, Lankershim, Chatsworth, San Fernando, Acton, Newhall, La Liebre, Del Sur, Lancaster, Palmdale, Llano, La Cañada, Burbank, and Glendale, shall constitute the thirty-fourth senatorial district.

35 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit. Pomona numbers one, two, three, four, and five; Claremont, Lordsburg, Spadra, Glendora, Azusa, Azusa City, Rowland, Covina, El Monte, Monrovia, Duarte, Rivera, Los Nietos, Whittier, East Whittier, North Pasadena numbers one and two, Lamanda, Sierra Madre, San Gabriel, Alhambra, Fruitland, Downey numbers one and two, Norwalk, Artesia, Clearwater, Cerritos, Long Beach city numbers one and two, and Terminal, shall constitute the thirty-fifth senatorial district.

36. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers fifty-seven *a*, fifty-seven *b*, fifty-eight *a*, fifty-eight *b*, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four *a*, sixty-four *b*, sixty-five, sixty-six, sixty-seven, sixty-eight, one, two, three *a*, three *b*, four, five, six, Garvanza, Pasadena numbers one, two, three, four, five, six, seven, and eight, and South Pasadena shall constitute the thirty-sixth senatorial district

37. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, sixty-nine, twenty-eight, twenty-nine, thirty, thirty-three, thirty-four *a*, and thirty-four *b* shall constitute the thirty-seventh senatorial district.

38 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to-wit: Los Angeles city numbers thirty-five *a*, thirty-five *b*, thirty-six, thirty-two, thirty-one, thirty-seven, thirty eight *a*, thirty-eight *b*, thirty-nine, forty, forty-one, forty-two, forty-three, forty four *a*, forty-four *b*, forty-five *a*, forty five *b*, forty-six, forty-seven, forty-eight *a*, forty-eight *b*, forty-nine *a*, forty-nine *b*, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, and fifty-six shall constitute the thirty-eighth senatorial district

39. The counties of Orange and Riverside shall constitute the thirty-ninth senatorial district.

40. The county of San Diego shall constitute the fortieth senatorial district

Also:

Amend by striking out all of Section 2 of printed bill and inserting the following:

SEC. 2. The State is hereby divided into eighty assembly districts, respectively numbered and constituted as follows:

1. The counties of Del Norte and Siskiyou shall constitute the first assembly district.

2. All that portion of the county of Humboldt comprising the townships of Orleans, Klamath, Trinidad, Mad River, Union, Eureka, and Bucksport shall constitute the second assembly district

3 All that portion of the county of Humboldt not embraced in the second district shall constitute the third assembly district.

4. The county of Shasta shall constitute the fourth assembly district

5. The counties of Tehama and Trinity shall constitute the fifth assembly district.

6. The county of Mendocino shall constitute the sixth assembly district.

7. The county of Butte shall constitute the seventh assembly district.

8 The counties of Modoc, Plumas, Lassen, and Sierra shall constitute the eighth assembly district

9 The counties of Yuba and Sutter shall constitute the ninth assembly district

10 The county of Nevada shall constitute the tenth assembly district.

11 The counties of Placer and El Dorado shall constitute the eleventh assembly district

12. The counties of Amador, Calaveras, and Alpine shall constitute the twelfth assembly district

13. The counties of Glenn, Colusa, and Lake shall constitute the thirteenth assembly district.

14. All that portion of the county of Sonoma comprising the townships of Analy, Bodega, Mendocino, Ocean, Petaluma, Redwood, Salt Point, and Vallejo shall constitute the fourteenth assembly district.

15 All that portion of the county of Sonoma not included in the fourteenth district shall constitute the fifteenth assembly district.

16 The county of Napa shall constitute the sixteenth assembly district.

17. The county of Yolo shall constitute the seventeenth assembly district.

18 All that portion of the county of Sacramento composed of the city of Sacramento and lying north of the center of K street of said city shall constitute the eighteenth assembly district.

19 All that portion of the county of Sacramento composed of the city of Sacramento and lying south of the center of K street of said city shall constitute the nineteenth assembly district.

20. All that portion of the county of Sacramento not included in the eighteenth and nineteenth districts shall constitute the twentieth assembly district.

21. The county of Solano shall constitute the twenty-first assembly district.

22. The county of Marin shall constitute the twenty-second assembly district.

23. The county of Contra Costa shall constitute the twenty-third assembly district.

24 All that portion of the county of San Joaquin comprising the city of Stockton shall constitute the twenty-fourth assembly district

25 All that portion of the county of San Joaquin not included in the twenty-fourth district shall constitute the twenty-fifth assembly district.

26. The counties of Stanislaus, Merced, and Madera shall constitute the twenty-sixth assembly district

27 The counties of Tuolumne, Mariposa, and Mono shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Market street intersects the bay of San Francisco, continuing thence along the center of the following-named streets: Market to Fourth, Fourth to Folsom, Folsom to Third, Third to Bryant, Bryant to the waters of the bay of San Francisco, thence along the shore to Market street, the place of beginning, shall constitute the twenty-eighth assembly district.

29. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Fourth and Market streets, continuing thence along the center of the following-named streets: Market to Seventh, Seventh to Mission, Mission to Sixth, Sixth to Bryant, Bryant to Third, Third to Folsom, Folsom to Fourth, Fourth to Market, the place of beginning, shall constitute the twenty-ninth assembly district.

30. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Seventh and Market streets, continuing thence along the center of the following-named streets: Market to Tenth, Tenth to Howard, Howard to Eleventh, Eleventh to Bryant, Bryant to Sixth, Sixth to Mission, Mission to Seventh, along Seventh to Market, the place of beginning, shall constitute the thirtieth assembly district.

31. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Bryant street intersects with the bay of San Francisco, continuing thence along the center of the following-named streets. Bryant to Eleventh, Eleventh to Howard, Howard to Twentieth, Twentieth to the waters of the bay of San Francisco, thence along the shore to Bryant, the place of beginning, shall constitute the thirty-first assembly district

32. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Twentieth street intersects the bay of San Francisco, continuing thence along the center of the following-named streets: Twentieth to Howard, Howard to Army, Army to San Bruno avenue, thence along San Bruno avenue to its intersection with the boundary line dividing the counties of San Francisco and San Mateo, thence along said boundary line to the intersection of the waters of the bay of San Francisco, thence along the shore of said bay to Twentieth street, the place of beginning, shall constitute the thirty-second assembly district

33 All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Guerrero and Army streets, continuing thence along the center of the following-named streets: Army to San Bruno avenue, thence along San Bruno avenue to its intersection with the boundary line dividing the counties of San Francisco and San Mateo, thence along said boundary line to the intersection of the waters of the Pacific ocean, thence along the shore of said ocean northerly to Ocean avenue, thence along Ocean avenue to Corbett avenue, thence along Corbett avenue to Fowler avenue, Fowler avenue to Twenty-eighth street, Twenty-eighth to Guerrero, along Guerrero to Army, the point of beginning, shall constitute the thirty-third assembly district

34. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of the center of Guerrero and Army streets, continuing thence along the center of the following-named streets: Army to Church, Church to Thirteenth, Thirteenth to Buena Vista avenue, Buena Vista avenue to Frederick street, Frederick to Clayton, Clayton and Ashbury to Clarendon avenue, thence along Clarendon avenue to Lincoln avenue, thence along Lincoln avenue to Clipper street, Clipper street to a point where the center of Fowler avenue, if extended, would intersect the

center of Clipper street, thence along Fowler avenue to Twenty-eighth, Twenty-eighth to Guerrero, Guerrero to Army, the place of beginning, shall constitute the thirty-fourth assembly district.

35. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Howard and Seventeenth streets, continuing thence along the center of the following-named streets: Seventeenth to Church, Church to Army, Army to Howard, Howard to Seventeenth, the place of beginning, shall constitute the thirty-fifth assembly district.

36. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Polk streets, continuing thence along the center of the following-named streets: Polk to Grove, Grove to Octavia, Octavia to Market, Market to Thirteenth, Thirteenth to Church, Church to Seventeenth, Seventeenth to Howard, Howard to Tenth, Tenth to the intersection of Market and Polk, the place of beginning, shall constitute the thirty-sixth assembly district.

37. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Octavia streets, continuing thence along the center of the following-named streets: Octavia to Fulton, Fulton to Stanyan, Stanyan to Frederick, Frederick to Buena Vista avenue, thence along Buena Vista avenue to Thirteenth, Thirteenth to Market, Market to Octavia, the place of beginning, shall constitute the thirty-seventh assembly district

38. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Van Ness avenue and Geary street, continuing thence along the center of the following-named streets: Geary and Point Lobos avenue to Masonic avenue, Masonic avenue to Fulton, Fulton to Octavia, Octavia to Grove, Grove to Van Ness avenue, Van Ness avenue to Geary, the place of beginning, shall constitute the thirty-eighth assembly district

39 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Lyon street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Lyon to Washington, Washington to Baker, Baker to Geary, Geary and Point Lobos avenue to Masonic avenue, Masonic avenue to Fulton, Fulton to Stanyan, Stanyan to Frederick, Frederick to Clayton, Clayton and Ashbury to Clarendon avenue, thence along Clarendon avenue to Lincoln avenue, thence along Lincoln avenue to Clipper, Clipper to a point where the center of Fowler avenue, if extended, would intersect the center of Clipper street, thence along the line of Fowler avenue to Corbett avenue, thence along Corbett avenue to Ocean avenue, thence along Ocean avenue to the waters of the Pacific ocean, thence along the shore of said ocean and the said bay to Lyon street, the place of beginning, together with the islands known as the Farallon islands, shall constitute the thirty-ninth assembly district.

40. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Van Ness avenue and Washington street, continuing thence along the center of the following-named streets: Washington to Baker, Baker to Geary, Geary to Van Ness avenue, Van Ness avenue to Washington, the place of beginning, shall constitute the fortieth assembly district.

41. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Jones street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Jones to Broadway, Broadway to Van Ness avenue, Van Ness avenue to Washington, Washington to Lyon, Lyon to the waters of said bay, thence along the shore to Jones street, the place of beginning, shall constitute the forty-first assembly district.

42. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Polk streets, continuing thence along the center of the following-named streets. Polk to Grove, Grove to Van Ness avenue, Van Ness avenue to Broadway, Broadway to Hyde, Hyde to Ellis, Ellis to Jones, Jones to Market, Market to Polk, the place of beginning, shall constitute the forty-second assembly district.

43. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Jones streets, continuing thence along the center of the following-named streets: Jones to Ellis, Ellis to Hyde, Hyde to Broadway, Broadway to Mason, Mason to Market, Market to Jones, the place of beginning, shall constitute the forty-third assembly district.

44. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Mason streets, continuing thence along the center of the following-named streets: Mason to Broadway, Broadway to the waters of the bay of San Francisco, thence along the shore of said bay to Market street, thence along Market street to Mason, the place of beginning, shall constitute the forty-fourth assembly district

45. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Jones street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Jones to Broadway, Broadway to the waters of the bay of San Francisco, thence along the shore of said bay to Jones street, the place of beginning, together with all the waters of the bay of San Francisco and the islands contained therein, situate within the boundaries of the city and county of San Francisco, shall constitute the forty-fifth assembly district.

46. All that portion of the county of Alameda comprising the townships of Murray, Washington, and Eden, shall constitute the forty-sixth assembly district.

47. All that portion of the county of Alameda comprising the township of Alameda shall constitute the forty-seventh assembly district.

48. All that portion of the county of Alameda comprising that portion of the city of Oakland bounded as follows: Commencing at a point on the westerly line of Brooklyn township, where the same is intersected by Thirteenth street extended, continuing thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to Twelfth, Twelfth to Adeline, Adeline to the shore line of Oakland creek, and thence extended to the boundary line of said city of Oakland in said creek, thence along said boundary line in said creek to the intersection of said boundary line with the boundary line between the sixth and seventh wards of said city of Oakland, and thence along said last mentioned boundary line to the place of beginning, shall constitute the forty-eighth assembly district.

49. All that portion of the county of Alameda comprising all that portion of the city of Oakland bounded as follows: Commencing at a point on the southerly boundary line of the city of Oakland in Oakland creek, where said boundary line is intersected by Adeline street extended, and thence along the line of the center of the following-named streets: Adeline to Twelfth, Twelfth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline street, Adeline street to the point of intersection of Adeline street with the northern boundary line of the town of Emeryville, thence by runs and courses westerly and northerly in the direction of and following the line of the boundary of the town of Emeryville to the point of intersection of the said boundary line with the westerly boundary line of the county of Alameda, thence southerly and easterly following said county boundary line to the point of beginning, shall constitute the forty-ninth assembly district.

50. All that portion of the county of Alameda comprising all that portion of the city of Oakland bounded as follows: Commencing at a point on the westerly line of Brooklyn township where the same is intersected by Thirteenth street extended, and thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline street, Adeline street to a point where the same crosses Temescal creek, thence easterly by meanders to a point where the same is crossed by Shattuck avenue, thence southerly to Forty-fifth street, Forty-fifth to Broadway, thence northerly along Broadway to the boundary line of the city of Oakland, thence southerly and easterly by meanders along said boundary line to the point of intersection with Brooklyn township, thence southerly and westerly by meanders along the westerly boundary line of Brooklyn township to the point of beginning, shall constitute the fiftieth assembly district.

51. All that portion of the county of Alameda comprising the township of Brooklyn shall constitute the fifty-first assembly district.

52. All that portion of Alameda county bounded as follows: Commencing at the point where the southerly line of the town of Berkeley intersects the westerly boundary line of the county of Alameda, thence easterly along said southerly line of the city of Berkeley to the easterly boundary line of the town of Emeryville, thence southerly and along the boundary line between the town of Emeryville and the city of Oakland to the point where Adeline street intersects said boundary line, thence easterly along the line of Temescal creek to Shattuck avenue, thence southerly along the center line of Shattuck avenue to Forty-fifth street, thence easterly along the center line of Forty-fifth street to Broadway, thence along the center line of Broadway to its intersection with the boundary line of the city of Oakland, thence southerly and easterly along said boundary line to the point of intersection with the westerly boundary line of Brooklyn township, thence in a general direction northerly by runs and courses along the boundary line of Brooklyn township to the point where it intersects the boundary line of Alameda county, thence westerly by runs and courses along the said boundary line of Alameda county, and southerly along said westerly boundary line of Alameda county to the point of beginning, shall constitute the fifty second assembly district.

53. The county of San Mateo shall constitute the fifty-third assembly district.

54. The county of Santa Cruz shall constitute the fifty-fourth assembly district.

55. All that portion of the county of Santa Clara comprised in the precincts of Alma, Almaden, Berryessa, Burnett, East San José, Evergreen, Gilroy number one, Gilroy number two, Guadalupe, Highland, Las Animas, Llagas, Morgan Hill, Mount Hamilton, Pioneer, Rucker, San Felipe, Solis, Union, Uvas, Vineland, Los Gatos number one, Los Gatos number two, Wrights, San Ysidro, and the third ward of the city of San José, shall constitute the fifty-fifth assembly district.

56. All that portion of the county of Santa Clara comprised in the precincts of Alameda, Crandallville, Hester, Gardner, Cottage Grove, Franklin, Oak Grove, Robertsville, Willow Glen, Campbell, Moreland, Santa Clara number one, Santa Clara number two, Santa Clara number three, Jefferson, Cupertino, Saratoga, and the fourth ward of San José, shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Santa Clara not included in the fifty-fifth and fifty-sixth districts shall constitute the fifty-seventh assembly district.

58. The counties of San Benito and Monterey shall constitute the fifty-eighth assembly district.

59. The counties of Tulare and Inyo shall constitute the fifty-ninth assembly district.

60. All that portion of the county of Fresno comprising the precincts of Black Mountain, Bryant, Cantua, Crescent, Chicago, Central Colony, Collis, Firebaugh, Fresno Colony, Fresno number five, Fresno number six, Fresno number seven, Fresno number eight, Fresno number nine, Fresno number ten, Fowler number one, Fowler number

two, Gill, Huron, Kingston, Kingsburg, Liberty, Lake, Lewis Creek, Madison, New Hope, Oleander, Panoche, Pleasant Valley, Sycamore, Selma number one, Selma number two, Terry, White's Bridge, Warthan, West Park, Washington Colony, and Wild Flower, shall constitute the sixtieth assembly district.

61. All that portion of the county of Fresno not included in the sixtieth district shall constitute the sixty-first assembly district

62. The county of Kings shall constitute the sixty-second assembly district

63. The county of San Luis Obispo shall constitute the sixty-third assembly district.

64 The county of Santa Barbara shall constitute the sixty-fourth assembly district

65 The county of Ventura shall constitute the sixty-fifth assembly district.

66 The county of Kern shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: San Vicente, Calabasas, Chatsworth, San Fernando, Lankershim, Burbank, Glendale, Garvanza, La Cañada, Newhall, Acton, La Liebre, Del Sur, Lancaster, Palmdale, Llano, Pasadena numbers one, two, three, four, five, six, seven, and eight, shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Pomona city numbers one, two, three, four, and five, Claremont, Lordsburg, Spadra, Glendora, Azusa City Azusa, Covina, Rowland, El Monte, Monrovia, Duarte, Rivera, Los Nietos, Whittier, and East Whittier, shall constitute the sixty-eighth assembly district

69 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers sixty-four *a*, sixty-four *b*, sixty-five, sixty-six, sixty-seven, and sixty-eight, Alhambra, San Gabriel, South Pasadena, Sierra Madre, Lamanda, North Pasadena numbers one and two, Fruitland, Downey numbers one and two, Norwalk, Artesia, Clearwater, Cerritos, Long Beach city numbers one and two, and Terminal, shall constitute the sixty-ninth assembly district

70 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Catalina, Santa Monica city numbers one, two, and three, Ballona, Hyde Park, Gardena, Wiseburn, Redondo city, Wilmington, San Pedro numbers one, two, and three, Compton numbers one and two, Florence, Los Angeles city numbers seventy-two *a*, seventy-two *b*, seventy-three *a*, seventy-three *b*, seventy-four, seventy-five, seventy-six, and seventy-seven, shall constitute the seventieth assembly district.

71 All that portion of the county of Los Angeles included in and comprising the following election precincts and parts of precincts of nineteen hundred, to wit. Los Angeles city numbers thirty-seven, thirty-eight *a*, thirty-eight *b*, thirty-nine, forty, forty-one, forty-five *a*, forty-five *b*, forty-six, all that portion of numbers fifty and fifty-one between Alameda street and the center of Los Angeles river, same being north of Ninth street, fifty-six, fifty-five, and fifty-four, shall constitute the seventy-first assembly district.

72 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers forty-four *a*, forty-four *b*, forty-three, forty-two, thirty-one, thirty-two, thirty-six, thirty-five *a*, thirty-five *b*, seventy and seventy-one, shall constitute the seventy-second assembly district.

73. All that portion of the county of Los Angeles included in and comprising the following election precincts and parts of election precincts of nineteen hundred, to wit: Los Angeles city numbers forty-seven, forty-eight *a*, forty-eight *b*, forty-nine *a*, forty-nine *b*, all that part of fifty and fifty-one between Alameda street and Central avenue, Third and Ninth streets, fifty-two, fifty-three, twenty-eight, twenty-nine, thirty, thirty-three, thirty-four *a*, thirty-four *b*, shall constitute the seventy-third assembly district.

74 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers one, two, three *a*, three *b*, four, five, six, fifty-seven *a*, fifty-seven *b*, fifty-eight *a*, fifty-eight *b*, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, seven, eight, Cahuenga, Monte Vista, National Military Home numbers one, two, three, four, and five, shall constitute the seventy-fourth assembly district

75 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit. Los Angeles city numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and sixty-nine, shall constitute the seventy-fifth assembly district

76. The county of San Bernardino shall constitute the seventy-sixth assembly district.

77. The county of Orange shall constitute the seventy-seventh assembly district.

78. The county of Riverside shall constitute the seventy-eighth assembly district.

79. All that portion of the county of San Diego comprising the city of San Diego shall constitute the seventy-ninth assembly district

80. All that portion of the county of San Diego not included in the seventy-ninth district shall constitute the eightieth assembly district.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CENSUS AND APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Census and Apportionment, to whom was referred Senate Bill No 142—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

CARTER, Chairman.

SUBSTITUTION OF CONSTITUTIONAL AMENDMENTS.

Mr. Sutro asked for and was granted unanimous consent to have Senate Constitutional Amendment No. 18 substituted for Assembly Constitutional Amendment No. 27 on Assembly Special File, they being identical bills.

So ordered.

Assembly Constitutional Amendment No. 27 withdrawn.

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 IV thereof a new section, to be known as Section 25½, relating to the division of the State into fish and game districts.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session commencing on the seventh day of January, Anno Domini one thousand nine hundred and one, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that the Constitution be amended by adding to article four thereof a new section, to be known as section twenty-five and one half, and to read as follows:

Section 25½. The Legislature may provide for the division of the State into fish and game districts, and may enact such laws for the protection of fish and game therein as it may deem appropriate to the respective districts.

Senate Constitutional Amendment No. 18 read.

The roll was called, and Senate Constitutional Amendment No. 18 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Greer, Gulfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Roberts, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—58.

NOES—Messrs. Kincaid and Savage—2.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed

Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

Assembly Bill No. 353—An Act to carry into effect Section 19 of Article XI of the Constitution of the State; to prevent monopoly and secure to the inhabitants of any city or town the benefits of free competition in gas and electric service; to enable the legislative body of any city or town to regulate the rates of charge therefor; to prevent discriminations, and to provide penalties for violations thereof.

Assembly Bill No. 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep.

Assembly Bill No. 416—An Act to create and regulate public warehouses.

Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations.

Assembly Bill No. 684—An Act to amend the Code of Civil Procedure of the State of California by adding thereto seven new sections, to be numbered 1060, 1061, 1062, 1062*a*, 1062*b*, 1062*c*, and 1062*d*, to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to

hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property or any part thereof, so that the purchaser, incumbrancer, mortgagee, or grantee or pledgee of such property will take, own, and possess such property unaffected by such action and suit or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment, in said action, upon the said undertaking.

Assembly Bill No. 702—An Act to amend Sections 3462 and 3463 of the Political Code.

Assembly Bill No 812—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, 2094, to repeal Sections 1981, 1983, 1990, 1992, 2032; and to add a new section, to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard

Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

BERRY, Acting Chairman

At eleven o'clock and fifteen minutes A. M., Speaker pro tem. Ralston was called to the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Greer:

Resolved, That Assembly Bill No. 879 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 the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 879—An Act providing for an appropriation for the purchase of additional land for Sutter's Fort, and for improving the grounds of said fort.

Read second time.

Mr. Dunlap moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 879.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 879 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 879—An Act providing for an appropriation for the purchase of additional land

for Sutter's Fort, and for improving the grounds of said fort—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 879 considered engrossed and ordered to third reading.

Assembly Bill No. 879—An Act providing for an appropriation for the purchase of additional land for Sutter's Fort, and for improving the grounds of said fort.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Felix, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, McNeil, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Williams—58.

NOES—Messrs. Atherton and Melick—2.

Title read and approved.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Constitutional Amendment No. 14—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 15 of Article XX, relating to liens of mechanics, laborers, material-men, sub-contractors, and contractors.

Amendment read.

Mr. Johnson moved to amend Assembly Constitutional Amendment No. 14 as follows:

Amend by striking out the word "Senate" in line one of the printed amendment, and inserting in lieu thereof the word "Assembly," and by striking out the word "Assembly" in line one of the printed amendment, and inserting in lieu thereof the word "Senate"; also, amend the title by inserting the word "artisans" between the words "mechanics" and "laborers"

Amendment adopted.

Assembly Constitutional Amendment No. 14 ordered to print.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No. 232—An Act to authorize counties, cities and counties, and incorporated towns, and chartered or incorporated cities, to license bicycles, tricycles, and similar vehicles, and to collect a fee therefor, for the purpose of devoting such fee to the construction of paths along country roads for the use of pedestrians, and the wheeling thereon of such vehicles.

And was presented to the Governor this day at ten o'clock and fifty minutes A. M.

G. H. ANDERSON, Acting Chairman.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 853—An Act to permit and enable the people of the State of California to express by ballot their preference of a person for the office of United States Senator at the general election in 1902.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 806—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor.

Read second time.

Mr. Hanen moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 806.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 806 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 806—An Act providing for the furnishing by the Clerk of the Supreme Court of the offices of the Clerk of the Supreme Court, and making an appropriation therefor—and do now report the same back, and recommend that the same do not pass.

RALSTON, Chairman.

Report adopted.

Mr. Melick moved to amend as follows:

Amend by striking out the enacting clause.

Amendment adopted.

Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year.

Read second time.

Mr. Savage moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 856.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 856 was considered in Committee of the Whole.

IN ASSEMBLY.

Spreaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 856 ordered to engrossment and third reading.

BILL CALLED UP FOR CORRECTION.

Mr. Knowland asked for and was granted unanimous consent to take up Assembly Bill No. 416 for the purpose of correcting an error in said bill.

Assembly Bill No. 416—An Act to create and regulate public warehouses. Read third time.

Mr. Knowland moved that a select committee of one be appointed to amend Assembly Bill No. 416 as follows:

On page two, Section 2, lines sixteen and seventeen of amended printed bill, strike out the words: "and in all counties of the second, third, and other classes, twenty-five thousand ($25,000) dollars"

Motion carried, and it was so ordered.

Mr. Knowland was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 416—An Act to create and regulate public warehouses—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

KNOWLAND, Committee

Report and amendment adopted.

Assembly Bill No. 416 ordered to print, reëngrossment, and on file for passage.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1891.

Assembly Bill No. 801—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No 238—An Act making an appropriation for repairs and improvements at the Woman's Relief Corps Home (located at Evergreen, Santa Clara County) for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War

Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the "Industrial Home of Mechanical Trades for the Adult Blind."

Assembly Bill No 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads

Assembly Bill No 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Assembly Bill No. 200—An Act to provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor

Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Assembly Bill No 340—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California

Assembly Bill No 341—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 344—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class

BERRY, Acting Chairman.

RECESS.

At twelve o'clock M., the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker Pendleton in the chair.
Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigation on behalf of the State, and making an appropriation for the expenses of such investigation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Cromwell, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, John, Kelley, Knight, Knowland, Laird, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—57.

NOES—Mr. Kincaid—1.

Title read and approved.

Senate Bill No. 406—An Act to amend 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 third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber,

Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—60.
NOES—None.

Title read and approved.

Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Brady, Broughton, Brown of San Francisco, Butler, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McLoughlin, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—57.
NOES—None.

Title read and approved.

Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McLoughlin, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Mr. Johnson moved that Committee Substitute for Senate Bills Nos. 311 and 382 and Senate Bill No. 298 be transposed on Senate file.

So ordered.

Committee Substitute for Senate Bills Nos. 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Committee Substitute for Senate Bills Nos. 311 and 382.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Committee Substitute for Senate Bills Nos. 311 and 382 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bills Nos 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Committee Substitute for Senate Bills Nos. 311 and 382 ordered to third reading.

Mr. Dunlap moved that Senate Bill No. 298 be taken up for consideration.

So ordered.

Senate Bill No. 298—An Act to amend Section 379 of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Webber, Williams, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read second time.

Mr. Duryea moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 195.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 195 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor—and do now report the same back, with amendments, and recommend that the same do not pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Mr. Greer moved to amend as follows:

By striking out of Section 4, line two, the words "July, nineteen hundred and one," and inserting the words "January, nineteen hundred and two."

Amendment adopted.

Senate Bill No. 195 ordered to print and third reading.

Senate Bill No. 260—An Act to provide for the completion and equipment of the building now being constructed for the use of the State Normal School at San Diego, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schullig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—62.

NOES—None

Title read and approved.

Senate Bill No. 46—An Act to amend the Code of Civil Procedure of this State by adding one new section thereto, to be numbered Section 1975, relating to the proof of proceedings of municipal corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Schullig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 216—An Act to provide for independent and unattached companies of the National Guard of the State of California, and to provide for the manner of making allowances for the use and support of such companies.

Read third time

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Johnson, John, Kincaid, Knowland, Levinson, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Reeber, Savage, Schullig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

BILL TAKEN UP OUT OF ORDER.

Mr. Dunlap moved that Committee Substitute for Senate Bill No. 592 be taken up for consideration out of order.

So ordered.

Committee Substitute for Senate Bill No. 592—An Act to amend an Act entitled "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, to provide for the payment of such bonds, and for proceedings to test the validity of same," approved April 1, 1897, by repeal-

ing Sections 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, and 18 thereof.

Read second time, and ordered to third reading.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 450—An Act to amend an Act entitled "An Act making it unlawful to refuse admission to places of amusement."

Read second time, and ordered to third reading.

Committee Substitute for Senate Bill No. 19—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Mr. Anderson of Solano moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 19.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Committee Substitute for Senate Bill No. 19 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No 19—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—and do now report back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

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 of Solano, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Levinson, Macbeth, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—54.

NOES—Mr. Irish—1.

Title read and approved.

BILL TAKEN UP OUT OF ORDER.

Mr. Hourigan asked and was granted unanimous consent to take up out of order Assembly Bill No. 669 for consideration.

Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Read third time.

BILLS TRANSPOSED ON FILE.

Mr. Feliz asked and was granted unanimous consent to transpose on file Assembly Bill No. 40 (412 on file) and Assembly Bill No. 854 (198 on file).

BILL TAKEN UP OUT OF ORDER.

Mr. Schillig asked and was granted unanimous consent to take up out of order Assembly Bill No. 207 for consideration.

Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Clarke, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Broughton moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act to prohibit the falsely marking or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction thereof."

Referred to Committee on Introduction of Bills.

At three o'clock and forty-five minutes P. M., the Speaker called Mr. Fisk to the chair.

BILLS TRANSPOSED ON FILE.

Mr. Stewart of San Diego moved that Assembly Bill No. 189 (254 on file) and Assembly Bill No. 497 (210 on file) be transposed on file.

So ordered.

Assembly Bill No. 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Johnson, Kelley, Kincaid, Knight, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Mr. Hubbard moved that Assembly Bill No. 694 (378 on file) and Assembly Bill No. 273 (204 on file) be transposed on file.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over 20,000 wherein official matrons or their duties are not now provided for by law, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, James, Johnson, Kelley, Kincaid, Knight, Laird, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—55.

NOES—Mr. Fisk—1.

Title read and approved.

TIME FOR RECESS EXTENDED.

At four o'clock and twenty minutes P. M., Mr. Anderson of Santa Clara moved that the time for recess be extended fifteen minutes.

So ordered.

BILLS TRANSPOSED ON FILE.

Mr. Myers (by permission of Mr. Milice) moved that Assembly Bill No. 62 (250 on file) and Assembly Bill No. 300 (212 on file) be transposed on file.

So ordered.

Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Read third time.

Mr. Brown of San Mateo moved that a select committee of one be appointed to amend Assembly Bill No. 62 as follows:

Strike out the word "Kings," in line three, Section 1, and insert in lieu thereof the words "Alameda or San Mateo."

Motion lost.

Also:

Strike out all of Section 3.

Motion lost.

Also:

Strike out all of Section 4.

Motion lost.

Also:

Strike out all of Section 5.

Motion lost.

Also:

Strike out, in Section 6, line one, the figure "6," and insert in lieu thereof the figure "3."

Also: Amend Section 7, line one, by striking out the figure "7," and inserting in lieu thereof the figure "4."

Motion lost.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hasson, Hourigan, Irish, Johnson, Knight, Laird, Levinson, Macbeth, McNeil, Melick, Myers, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—45.

NOES—Messrs Anderson of Solano, Atherton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Collins, Evatt, Fisk, Gans, Kelley, Knowland, McLoughlin, McWade, Miller, Ralston, Roberts, and Schlesinger—18.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Anderson of Solano gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 62 was this day passed.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 521—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California

Assembly Bill No 547—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections and the plumbing and connections of the Napa State Hospital at Napa

Assembly Bill No. 548—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Assembly Bill No 610—An Act appropriating the sum of $10,000 to create a revolving fund for the manufacture and sale of brooms and other like commodities by the inmates of the Industrial Home of the Adult Blind

Assembly Bill No 617—An Act to provide for improving the grounds of the Agnews State Hospital, and making an appropriation therefor.

Assembly Bill No 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bath-tubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Assembly Bill No 700—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Assembly Bill No. 109—An Act to amend Sections 1186, 1187, and 1188 of the Political Code of the State of California, relating to political conventions, nominations, and political committees

Assembly Bill No. 853—An Act to permit and enable the people of the State of California to express by ballot their preference for some person for the office of United States Senator at the general election in 1902.

Assembly Bill No 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California, for the remainder of the fifty-second fiscal year

Assembly Bill No. 786—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Assembly Bill No 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

Assembly Bill No. 873—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases, and to manage said California Redwood Park.

Assembly Bill No. 816—An Act to amend subdivision sixteen of Section 25 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relative to the powers of Boards of Supervisors.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties, to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupation, and business.

BERRY, Acting Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 53—An Act to amend Section 3488 of the Political Code of the State of California, relating to the public lands of the State of California.

Assembly Bill No. 283—An Act to amend Section 357 of the Penal Code, relating to marking and branding, changing, altering, or defacing the marks and brands of domestic animals.

Assembly Bill No. 285—An Act to add a new section to the Penal Code, the said section to be designated 357½, relating to the marking and branding, or altering, changing or defacing marks and brands on domestic animals.

Assembly Bill No. 430—An Act to prohibit the use by purchasers of milk, cream, or other dairy products, of apparatus, test bottles, or other appliances, showing false percentages of cream, butter-fat, or richness, or which by their use are calculated to deceive or defraud.

Assembly Bill No 559—An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health

Assembly Bill No. 563—An Act regulating and limiting the sale of convict-made articles.

Assembly Bill No. 757—An Act to amend Section 473 of the Civil Code of the State of California, relating to consolidation of railroad corporations.

And were presented to the Governor this day, at two o'clock and sixteen minutes P. M.

G. H. ANDERSON, Acting Chairman.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 520—An Act to amend the Political Code by amending Section 2696 thereof, and by adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—67

NOES—Mr. Roberts—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Sheridan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 12 was this day refused adoption.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 753—An Act to amend an Act to establish a Penal Code, approved February 14, 1872, by adding a new section thereto.

Also: Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties

Also: Senate Bill No. 555—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

HIGBY, Chairman

Senate Bill No. 555 re-referred to Committee on Fish and Game.

ON CENSUS AND APPORTIONMENT—(MINORITY REPORT).

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: A minority of your Committee on Census and Apportionment, to whom was referred Senate Bill No. 447—An Act to divide the State into legislative districts and to provide for the election of Senators and Assemblymen therein—have had the same under consideration, and respectfully report the same back, and recommend that it do pass without amendment.

HIGBY.
SCHILLIG.
MILLER.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No. 874—An Act to amend Section 128 of an Act to establish a uniform system of county and township governments, approved April 1, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McWADE, Chairman.

RECESS.

At four o'clock and forty-five minutes P. M., acting Speaker Fisk declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

Mr. Greer moved that Senate messages be taken up for consideration. So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No. 879—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for the improvement of the grounds about said fort.

F. J. BRANDON, Secretary of Senate.
By FRED L. THOMAS, Assistant Secretary.

Assembly Bill No. 879 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments

Also: Assembly Bill No. 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc

Also: Assembly Bill No 425—An Act regulating the hours of service on regular duty by members of the police department of cities of the first class and cities and counties.

Also· Amended, and passed as amended, Assembly Bill No. 683—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed Senate Bill No. 451—An Act for the payment of the fees due to trial jurors, who have served as such in the Superior Court of any county or city and county of this State under the Act of 1895.

Also: Refused passage to Assembly Bill No. 289—An Act to regulate the establishment of, and maintenance of, public laundries and public wash-houses in the cities and counties of the State.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 24, 588, and 425 ordered to enrollment.

Assembly Bill No. 683, with Senate amendments, made special order for to-morrow morning.

Senate Bill No. 451—An Act for the payment of the fees due to trial jurors who have served as such in the Superior Court of the City and County of San Francisco under the Act of 1895.

Read first time, and referred to Committee on Judiciary.

SECOND READING OF BILLS.

Senate Bill No. 568—An Act to amend Section 1197 of the Political Code, relating to elections.

Read second time, and ordered to third reading.

Assembly Bill No. 779 (Committee Substitute for Assembly Bill Nos. 215 and 582)—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

Mr. James moved to amend as follows:

Amend by adding after Section 1, line three hundred and thirty eight, a new section to be numbered Section 2, as follows:

"SECTION 2 Section forty of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, is hereby amended so as to read as follows:

"Section 40. The Board of Supervisors must not hear or consider any claim in favor of any public officer, person, corporation, company, or association against the county, nor shall the board credit or allow any claim or bill against the county or district fund, unless the same be itemized, giving names, dates, and particular service rendered, character of process served, upon whom, distance traveled, where and when, character of work done, number of days engaged, supplies or materials furnished, to whom, and quantity and price paid therefor, duly verified to be correct, and that the amount claimed is justly due, and is presented and filed with the clerk of the board within a year after the last item of the account or claim accrued; *provided*, *however*, that nothing herein contained shall apply to officers or employés of the county regularly employed at a monthly compensation, fixed by the Board of Supervisors at the time of appointment or employment, but in such case the Supervisors at the time of such appointment or employment shall furnish the County Auditor with a certified copy of said appointment or employment, and thereafter of any order revoking or changing the same, and on or before the first Monday in each month said board shall furnish the County Auditor a list of all such officers or employés entitled to compensation for the preceding month, and the County Auditor shall thereupon draw his warrant upon the County Treasurer for the amounts to which such officers or employés are entitled as aforesaid, and deliver the same to the claimant on or after the said first Monday. If in case of any claim which requires itemizing, the board do not hear or consider the same because it is not itemized, they shall cause notice to be given to the claimant or his attorney of that fact and give time to have the claim itemized and re-verified."

Mr. Johnson moved that amendments be printed in Journal, and be considered to-morrow.

So ordered.

Mr. James moved to amend as follows:

Amend by adding after Section 1, line three hundred and thirty-eight, to follow Section 2, as amended, and to be numbered "Section 3," as follows:

"SEC 3 Section two hundred and fifteen of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety seven, is hereby amended so as to read as follows:

"Section 215. The salaries and fees provided in this Act shall be in full compensa-

tion for all services of every kind and description rendered by the officers herein named either as officers or ex officio officers, their deputies and assistants, unless in this Act otherwise provided, and all deputies employed shall be paid by their principals out of the salaries hereinbefore provided unless in this Act otherwise provided, the Assessor shall be entitled to receive and retain for his own use six per cent on personal property tax collected by him as authorized by section thirty-eight hundred and twenty of the Political Code and fifteen per cent of all amounts collected by him for State poll-taxes and road poll-taxes, and also five dollars per hundred names of persons returned by him as subject to military duty as provided in section nineteen hundred and one of the Political Code, and the License Collector shall be entitled to receive and retain for his own use ten per cent on all licenses collected by him, except where otherwise provided in this Act; *provided, however*, that in counties and cities and counties of the first, second, and third classes the Assessor shall receive no commission for the collection of taxes on personal property, nor shall such Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section nineteen hundred and one of the Political Code; *provided further*, that in counties of the second class the Assessor shall receive no commission for the collection of poll-taxes. In the cases where the Assessor does not personally receive the commissions for the collection of poll-taxes or personal property taxes, such commissions shall nevertheless be allowed to said county in its settlement with the State, and be and remain the property of such county; nor shall the License Collector in cities and counties of the first class, and in counties of the second class receive any commission on licenses collected by him, *provided*, that in any county where the number of Judges of the Superior Court shall have been increased since the first day of January, eighteen hundred and ninety-seven, or shall hereafter be increased, there must be and there hereby is allowed to the Sheriff of such county by reason of such increase one additional deputy to be appointed by the Sheriff at a salary not exceeding twelve hundred dollars per annum, to be paid at the same time and in the same manner as other county officers are paid, and also there must be and is hereby allowed to the County Clerk of such county one additional deputy to act as court-room clerk for each judge so appointed or elected, at a salary not exceeding twelve hundred dollars per annum for each of said deputies, to be paid at the same time and in the same manner as other county officers are paid. The Board of Supervisors shall allow to the Sheriff his necessary expenses for pursuing criminals, or transacting any criminal business without the boundaries of his county, and for boarding prisoners in the county jail; *provided*, that the Board of Supervisors shall fix a reasonable price at which such prisoners shall be boarded, if not otherwise provided for in this Act, *provided further*, that the Sheriff shall be entitled to receive and retain for his own use five dollars per diem for conveying prisoners to and from State prisons, and for conveying persons to and from the insane asylums or other State institutions not otherwise provided for by law; also, all expenses necessarily incurred in conveying insane persons to and from the insane asylums, and in conveying persons to and from the State prisons or other State institutions, which per diem and expenses shall be allowed by the Board of Examiners and collected from the State. The court shall also allow the Sheriff his necessary expenses in keeping and preserving property seized on attachment or executions, to be paid out of the fees collected in the 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 by striking out of Section 2, line one, the figure "2," and inserting in lieu thereof the figure "4."

Also: Amend title of printed Assembly Bill No. 779 by striking out the words and figures "Section 159," and inserting in lieu thereof the following: "Sections 10, 159, and 215."

Also: Amend by striking out of Section 1, line three hundred and fourteen, the words "one hundred and fifty," and inserting in lieu thereof the words "two hundred."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line one hundred and thirty-one, the words "two deputies," and inserting the following in lieu thereof: "one deputy at a salary of $125 per month; one deputy"; also, by striking out the word "each" in line one hundred and thirty-two of same section.

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and twelve, the word "and," and inserting after the word "deputy" in same line the words "and one stenographer."

Also: Amend printed Assembly Bill No. 779 by adding after the word "month," in line two hundred and sixteen, Section 1, the following: "and one stenographer at a salary of $75 per month."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and seventeen, the word "and," and inserting after the word "deputy," in same line, the words "and stenographer."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line thirteen, the word "thirty-five," and inserting the word "twenty-five."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line thirty-seven, the word "thirty-five," and inserting the word "twenty-five."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line sixty-eight, the word "seven," and inserting the words "five and one half."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line seventy, the word "seven," and inserting the word "five."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line eighty, the word "fifty," and inserting the word "twenty-five."

Also: Amend by striking out of Section 1, lines one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, and one hundred and thirty-six, the words "and one detective at a salary of one hundred dollars per month, who shall assist the District Attorney in the detection of crime and the prosecution of criminal cases"; and also, by striking out the words "and detectives," in line one hundred and forty-one of same section; and also, by inserting the word "and" before the word "special," in line one hundred and forty-one, same section.

Also: Amend by striking out of Section 1, line two hundred and fifteen, the word "ten," and inserting in lieu thereof the word "twenty-five"

Also: Amend printed Assembly Bill No 779 by striking out of Section 1, line two hundred and thirty-four, the word "forty," and inserting in lieu thereof the word "twenty-five."

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and thirty-four, the word "six," and inserting in lieu thereof the word "five"

Also: Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and thirty-five, the word "one," and inserting in lieu thereof the word "two."

Also: Amend by inserting at the end of subdivision eleven, page seven of the printed bill:

"11½. Each member of the County Board of Education, except the secretary thereof, five dollars for each session of the board attended, not exceeding a total of four hundred dollars to any member in one year. In addition, each member shall be entitled to mileage at the rate of ten cents per mile, for one way only, while attending the regular sessions. Said compensation of the members of the Board of Education shall be payable monthly and out of the same fund and in the same manner as the salary of the County Superintendent of Schools is paid. Said compensation shall be in full payment for all services rendered."

SPECIAL ORDERS.

Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

The following amendments were submitted:

By Mr. Macbeth:

Amend by striking out of the title, lines one and two, the words "An Act to establish a"; also, the words "approved March twelfth, eighteen hundred and seventy-two," and insert after the word "amend," in line one, the word "the."

Amendment adopted.

Also:

Amend Section 1359, line three, printed bill, by inserting before the word "publication" the words "their powers and duties."

Amendment adopted.

Also:

Amend by striking out of Section 1359, line four, printed bill, the words "great register and supplements," and inserting the following: "original affidavits of registration, indexes, and supplements."

Amendment adopted.

Also:

Amend Section 1359, line fifteen, printed bill, by inserting after the word "register," the word "indexes."

Amendment adopted.

Also:

Amend by striking out of Section 1361, line twenty-four, printed bill, the word "the," and inserting the word "such."

Amendment adopted.

Also:

Amend Section 1361, line sixty-five, by inserting the words "in detail" before the words "to the party."

Amendment adopted.

Also:

Amend Section 1361, line sixty-eight, after the word "must," by inserting the following: "be made on the same basis for each subdivision, and must."

Amendment adopted.

Also:

Amend Section 1361, line one hundred and six, by inserting after the word "convention," the following: "and the basis of apportionment shall be the same as hereinbefore provided."

Amendment adopted.

Also:

Amend Section 1361, line one hundred and seventeen, by inserting before the words "and must," the following: "must be governed by the same rules."

Amendment adopted.

Also:

Amend Section 1361, line one hundred and twenty-three, by inserting after the word "whether," the word "by"

Amendment adopted.

Also:

Amend Section 1363, line ten, by inserting after the word "cities," the word "and."

Amendment adopted.

Also:

Amend by striking out of Section 1365, lines three, four, and five, the words "Ballots for one party shall not be printed on paper of the same color as those of any other party"; also, by striking out the word "slip," in line six, Section 1365, and inserting the word "strip."

Amendment adopted.

Also:

Amend Section 1365, line sixty-two, page twelve, printed bill, by inserting a parenthesis before the word "of"; also, in line sixty-five, by inserting a parenthesis after the period.

Amendment adopted.

Also:

Amend by striking out of Section 1366, line five, printed bill, the word "other," and inserting the word "general"; also, by striking out in lines five and six, Section 1366, printed bill, the words "prepare and"; also, by striking out of same section, line six, printed bill, the word "registers," and inserting the following: "the original affidavits of registration, indexes and supplements thereto"

Amendment adopted.

Also:

Amend by striking out of Section 1366, line seven, printed bill, the words "prepare and"; also, by striking out of Section 1366, line nine, the following: "register, supplements thereto, and indexes," and inserting the following: "original affidavits of registration, indexes and supplements thereto."

Amendment adopted.

Also:

Amend by striking out of Section 1366, line fourteen, page thirteen, printed bill, the word "register," and inserting in lieu thereof the following: "original affidavits of registration and indexes."

Amendment adopted.

Also:

Amend by striking out of Section 1366, line sixteen, page thirteen, printed bill, all of said line sixteen after the word "supplemental."

Amendment adopted.

Also:

Amend by striking out of Section 1367, line sixteen, page thirteen, printed bill, the word "will" after the word "he."

Amendment adopted.

Also:

Amend by striking out of Section 1367, line sixteen, page thirteen, printed bill, the word "the" after the word "to," and inserting in lieu thereof the word "his."

Amendment adopted.

Also:

Amend by striking out of Section 1370, lines six and seven, page fourteen, printed bill, the words "and shall pay the same" after the word "California," in line six of the printed bill.

Amendment adopted.

Also:

Amend by striking out of Section 1372, line two, page fifteen, printed bill, the word "all."

Amendment adopted.

Also:

Amend by striking out of Section 1372, page sixteen, printed bill, all of lines twenty-seven and twenty-eight.

Amendment adopted.

Also:

Amend by striking out of Section 1372, line sixty-five, page seventeen, printed bill, the last letter "s" in the first word "question," in said line.

Amendment adopted.

Also:

Amend by striking out all of Section 2, page nineteen of printed bill.

Amendment adopted.

By Mr. Sheridan:

Amend by striking out of Section 1, line fifty, page sixteen, the period after the word "elections," and inserting in lieu thereof a comma, and in lieu of capital letter "T" in word "the," in same line, insert a small letter "t."

Amendment adopted.

Also:

Amend by striking out of Section 1, line sixty-six, page seventeen, the word "effect," where it occurs the second time, and inserting the word "force."

Amendment adopted.

By Mr. Melick:

Amend by striking out of Section 1372, lines three and four, the words "seven thousand five hundred," and inserting the words "ten thousand"

Amendment lost.

By Mr. James:

Amend printed Assembly Bill No. 793, by striking out of Section 1365, lines twenty and twenty-one, page ten, the words "of any tint regardless of that of the ballot," and inserting, before the word "paper," in line twenty, same section, the word "white."

Amendment adopted.

Also:

Amend printed amended Assembly Bill No. 793, as follows: Strike out the words "if any delegates elected under," in line eight of Section 1375, page nineteen, and also lines nine to thirteen, inclusive, same section; also, insert before the word "the," in line two of the same section, the words "or from any cause shall be unable to attend upon."

Amendment adopted.

By Mr. Treadwell:

Amend by striking out of Section 1375, lines fourteen to twenty-one, inclusive.

Amendment adopted.

By Mr. Sheridan:

Amend after the word "chapter," in line twelve, page fifteen, Section 1371, the words "other than a city primary."

Amendment adopted.

Assembly Bill No. 793 passed on file, subject to further amendments.

NOTICE OF MOTION TO RECONSIDER.

Mr. Broughton gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 19 was this day passed.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

Mr. Macbeth moved that a select committee of one be appointed to amend Assembly Bill No. 109 as follows:

Amend by inserting in Section 1187, line forty-seven, page four, after the word "convention," the following: "*provided*, such chairman and secretary may themselves file or cause to be filed such certificate within the time allowed by law; and the same, when so filed, if legal in form and substance, shall be the only lawful certificate of such nominations made by such convention."

Motion carried, and so ordered.

Mr. Macbeth was appointed such committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MACBETH, Committee.

Report and amendment adopted.

Mr. James moved that a select committee of one be appointed to amend printed amended Assembly Bill No. 109 as follows:

Strike out the word "so," in line nineteen, Section 3, page eight, and also the words "as to mislead voters," in line twenty, same section and page.

Also: In lines nineteen and twenty, Section 3, page eight, strike out the words "said name is not the same or so similar to that of any existing party as to mislead voters," and insert in lieu thereof the following: "that the name so selected and adopted shall not be the name of any existing political party, or the name of any existing political party with either an affix or prefix, or other word or words so similiar to that of an existing political party as to deceive or mislead the voter."

Ordered printed in Journal, and go to unfinished business.

Assembly Constitutional Amendment No. 1—Relative to primary elections.

Read.

The roll was called, and Assembly Constitutional Amendment No. 1 refused adoption by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Broughton, Brown of San Mateo, Chiles, Cowan, Cromwell, Feliz, Foster, Hanen, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Laird, Levinson, Mattos, Melick, Merritt, Myers, Ray, Reeber, Rutherford, Schillig, Sheridan, and Wright—31.

NOES—Messrs. Anderson of Solano, Bauer, Berry, Bliss, Brown of San Francisco, Butler, Carter, Cavagnaro, Clarke, Collins, Dunlap, Duryea, Evatt, Fisk, Gans, Greer, Guilfoyle, Haley, Henry, Higby, Hourigan, Knight, Knowland, McLoughlin, McNeil, McWade, Milice, Miller, Radcliff, Ralston, Roberts, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—41.

Assembly Bill No. 646—An Act to add a new section to the Political Code of the State of California, to be numbered Section 1120, relating to registrations.

Read second time, ordered to engrossment and third reading.

NOTICE OF RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 1 was this day refused adoption.

ADJOURNMENT.

At nine o'clock and thirty minutes P. M., on motion of Mr. Ralston, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 5, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Rutherford, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, March 2, 1901, was read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON CLAIMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Claims, to whom was referred Senate Bill No. 149—An Act to pay the claim of John P. Dulip 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.

HENRY, Chairman.

Senate Bill No. 149 re-referred to Committee on Ways and Means.

ON STATE HOSPITALS AND ASYLUMS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on State Hospitals and Asylums, to whom was referred Senate Bill No. 274—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Senate Bill No. 272—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Also: Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections, of the Napa State Hospital at Napa.

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, under the rules.

SCHILLIG, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan corporations—report the same back with the recommendation that it do not pass.

Also: Senate Bill No. 631—An Act to amend Section 853 of the Political Code of this State, relating to absence of officers

Also: Senate Bill No. 299—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation

Report the same back with the recommendation that they do pass.

JOHNSON, Chairman

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 556—An Act declaring upon what terms contracts between persons, companies, associations, or corporations furnishing water for irrigation to the consumers of such water shall be valid, and to provide that such contracts shall be deemed based upon sufficient consideration—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed Senate Bill No 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor.

Also: Concurred in Assembly amendments to Senate Bill No. 7—An Act to provide for the joint investigation with the Federal Government of the water resources of the State, and of the best methods of preserving the forests thereof; appointing a Board of Water and Forest Commissioners to conduct such investigations on behalf of the State, and making an appropriation for the expenses of such investigations

Also: Senate Bill No. 406—An Act to amend Section 1 of 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," approved March 31, 1897, by constituting Yolo and Sacramento counties the Fortieth District, Lake County the Twelfth District, and Mendocino the Forty-fifth District.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 556—An Act declaring upon what terms contracts between persons, companies, associations, or corporations furnishing

water for irrigation to the consumers of such water shall be valid, and to provide that such contracts shall be deemed based upon sufficient consideration.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1.

Strike out all of the title of the printed bill, and insert a new title therein, as follows:
"An Act declaring upon what terms contracts between persons, companies, associations, or corporations furnishing water for irrigation to the consumers of such water shall be valid, and to provide that such contracts shall be deemed based upon sufficient consideration."

AMENDMENT No. 2.

Strike out all of Section 4 and insert in lieu thereof the following:
"SEC. 4. Nothing in this Act contained shall affect any contract made prior to the time that the Board of Supervisors fix and establish the rates and regulations for and under which water shall be sold and supplied."

AMENDMENT No. 3.

Add a new section thereto, to be numbered as follows:
"SEC. 5. This Act shall take effect and be in force from and after its passage."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Clarke, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Henry, Hubbard, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr Speaker—58.
NOES—None.

Senate Bill No. 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor.

Read first time, and referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following expense accounts and resolutions:

Expenses of William D Wasson, contestant.

Clerk's fee in filing complaint in Superior Court of the City and County of San Francisco, verification of complaint, service of notice and complaint	$8 00
Stenographer's fees, drawing complaint, notice and commission, and copies thereof, 31 folios at twenty cents a folio for originals and five cents a folio for copies	6 20
Witness fees, five witnesses one day each and three witnesses two days each at $2 per day, fees subpœnaing witnesses and mileage	41 50
Two commissioners, G. C Groezinger and Thos. F Dunn (one half of fee), at $5 each, six days	30 00
B C. Brown, shorthand reporter, six days at $5 per day	30 00
Transcript of contestant's portion of testimony for official record, 978 folios	48 90
Copy of contestant's portion of testimony for use by contestant's attorneys, 978 folios at ten cents a folio, and transcript of contestee's portion of testimony for use of contestant's attorneys, 786 folios at twenty cents a folio	39 40
County Clerk, for transmission of deposition to Secretary of State	1 00
Hull McClaughry, attorney's fees	100 00
Clay P. Gooding, attorney's fees	------
Notary's fees	3 50
Total	$308 50

Resolved, That the Controller is hereby authorized to draw his warrant in favor of Hull McClaughry, attorney for contestant, in the sum of $303.50, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, the same to be distributed in accordance with the claims approved.

Also:

Expenses of Lorenzo A. Henry, contestee.

Filing answer in Superior Court, and notary's fees	$2 50
Typewritten answer, original, 21 folios, at ten cents	2 10
Four copies, 84 folios	12 30
To attendance of stenographer for contestee in contested election case of William D. Wasson vs Lorenzo A Henry, for the office of Member of the Assembly for the Forty-second District, January 7th, 8th, 9th, 10th, 11th, and 12th—six days	30 00
To transcript of depositions for official record, of Chas A. Flunn, S. A. Hussey, B. Muller, Thos. B Keenan, H C. Morrison, Geo. Dawson, Chas. Beck, Roderick Banks, Chas. W. Isham, Frank R. Boscoe, Lorenzo A. Henry, and Edward J Murphy, said transcript being for the official record, 262 pages, 786 folios	48 70
One carbon copy of above, for use by attorneys for contestee, 786 folios	29 45
One transcript of depositions of Thomas J. Walsh, William D. Wasson, Thos. W. McGeorge, M. L. Jancovich, Chas. P Welch, Fred Franzen, W C McGeorge, J. L Holland, Harry M. Lowrie, and Charles R. Gagan, said transcript being for use of attorneys for contestee, 978 folios at twenty cents	48 90
Service serving sixty subpœnas, at $1 50 each	30 00
One day's attendance of thirty-two witnesses, at $2 each	38 00
Mileage of Lorenzo A Henry to and from Sacramento, to attend hearing before commissioners	16 80
Justice's fee, Thomas F. Dunn, seven days	21 00
G. C Groezinger, seven days	21 00
Fee, Thomas D Riordan, Edward Lande, and Maurice L. Asher, attorneys for contestee	200 00
Total	$500 80

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Lorenzo A. Henry in the sum of $500 80, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, the same to be distributed in accordance with the above bills.

Also:

Expenses of Jeremiah F. Collins, contestee.

County Clerk's fee for verifying and filing answer in Superior Court, City and County of San Francisco	$2 25
Reporter's fee, per diem, four days, January 12, 14, 16, and 18, 1901	20 00
Transcript of testimony of witnesses produced on behalf of contestee, filed in the office of the Secretary of State, 441 folios at twenty cents	44 20
Two copies of testimony of witnesses on behalf of contestant and contestee, 1,458 folios at ten cents	36 95
Commissioners' fee, T. F. Dunn and G. C. Groezinger, Justices of the Peace, taking depositions, seven days	70 00
Service of 100 subpœnas and mileage at fifty cents	50 00
One day's fee, each witness, on service of subpœna	60 00
Witness fee for five days' additional attendance of fourteen of said witnesses	40 00
Mileage and expenses of Jeremiah F. Collins, attendance on commission in taking deposition January 9th	37 20
Mileage and expenses of Jeremiah F. Collins, attendance on commission in taking deposition January 12th	30 00
Counsel fee of Leon Samuels, attorney for contestee	200 00
Total	$590 60

Resolved, That the Controller be and he is hereby authorized to draw his warrant in favor of Jeremiah F. Collins, contestee, and the Treasurer is instructed to pay the same, for the sum of $590.60, the same to be paid out of the Contingent Fund of the Assembly.

Also:

Expenses incurred by Thomas J. Horan, contestant.

County Clerk's fees, filing statement of grounds of contest and verification thereof	$6 50
Sheriff's fees, for service of the aforesaid statement, notice, and commission	85
Justices of the Peace, Thomas F. Dunn and G. C. Groezinger, commissioners, seven days for each of said Justices at $10 a day	70 00
Stephen Potter, reporting of contestant, Wednesday, January 9, 1901; Stephen Potter, transcribing testimony of contestant, Wednesday, January 9th, one original, 61 folios at twenty cents a folio, filed with the Secretary of State; Stephen Potter, transcribing two copies of the same and furnished to counsel for contestant and contestee, 122 folios at ten cents a folio	17 20
D. W. Long, transcribing testimony of witnesses produced by contestant, January 10 and January 11, 1901, and filing with the Secretary of State, 288 folios, at twenty cents a folio; D. W. Long, transcript of testimony of witnesses on behalf of contestant and contestee, furnished to counsel for contestant, 792 folios at ten cents a folio	75 75
Fees of County Clerk, transmission of testimony to Secretary of State	50
John J. Greely, attorney's fees	100 00
Total	$270 80

Resolved, That the Controller is hereby authorized to draw his warrant in favor of Thomas J. Horan, contestant, for the sum of $270.80, and the Treasurer is instructed to pay the same out of the Contingent Fund of the Assembly, the same to be distributed in accordance with the above bills

Also:

Expenses of John Butler, contestee.

County Clerk's fee in Superior Court, filing answer	$2 00
Notary public's verification	50
Shorthand reporter, per diem, three days, January 14th, 15th, and 16th, at $5	15 00
Transcribing 100 folios	15 00
Five copies of same, 100 folios each, at fifteen cents	25 00
Commissioner's fees, Justices Dunn and Groezinger, 100 folios at thirty cents	15 00
Subpœnaing sixty witnesses at fifty cents	30 00
Per diem, eight witnesses, one day each	16 00
Forty witnesses, two days each	80 00
Twelve witnesses, three days each	21 00
Counsel fees, John S Partridge, attorney for contestee	200 00
Mileage of John Butler, contestee	16 80
Total	$436 30

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 Butler, contestee, in said sum of $436 30, to be distributed by him in accordance with bills allowed, said money to be drawn from the Contingent Fund of the Assembly.

Also:

Expenses incurred by contestant, Joseph X. Strand.

County Clerk's fee, filing statement of grounds of contest	$6 00
Affidavit to statement	50
Sheriff's fee, service of statement on contestee	95
Typewriting grounds of contest, notice, and commission	5 00
Daniel S. O'Brien, attorney's fee	50 00
Total	$62 45

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 Daniel S. O'Brien, attorney for contestant, in said sum of $62 45, to be distributed by him in accordance with bills allowed, said money to be drawn from the Contingent Fund of the Assembly

Also:

Expenses of Eugene F. Lacy, contestant.

County Clerk s and notary's fees in Superior Court, San Francisco, in filing contest	$6 50
Sheriff's fee, service process	1 50
Same, service subpœna	50
Witness fees, G. F. Dougherty, three days	6 00
Same, Fred Russell, three days	6 00
Reporter's fee, per diem, one day	5 00
Transcript testimony, original, 124 folios	12 50
Same, five copies, 620 folios	23 25
Mileage, Eugene F. Lacy	16 80
Counsel fee of Lynch & Drury, contestant's attorneys	100 00
Total	$178 05

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 E. F. Lacy, contestant, in the sum of $178.05, to be paid out of the Contingent Fund of the Assembly, and to be by him distributed in accordance with the bills allowed.

Also:

Expenses of Charles R. Franklin, contestee.

County Clerk's and notary's fee in Superior Court, San Francisco, in answering contest	$2 50
Reporter's fee, per diem, four days, 8th, 9th, 10th, and 11th of January	20 00
Taking and transcribing testimony, 645 folios at thirty cents	48 50
Five copies same, 3,225 folios at fifteen cents	96 75
Commissioners' fees, T. F. Dunn and G. C. Groezinger, Justice of Peace, taking depositions, 645 folios at thirty cents	96 75
Service of seventy subpœnas at fifty cents	35 00
Mileage for Charles R. Franklin	16 80
One day's attendance advanced each witness on service of subpœna	56 00
Three days' additional attendance of sixteen of said witnesses	25 00
Counsel fees of Augustus Tilden	200 00
Total	$597 30

Resolved, That the Controller be and he hereby is authorized to draw his warrant, and the Treasurer is instructed to pay the same, in favor of Charles R. Franklin, contestee, in the sum of $597 30, to be paid out of the Contingent Fund of the Assembly, and to be by him distributed in accordance with bills allowed.

Have had the same under consideration, and respectfully report the same back, and recommend that said accounts be allowed, and that said resolutions be adopted.

FISK, Chairman.

Report and resolutions adopted.

RESOLUTION.

By Mr. Stewart of San Diego:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $200, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly, in favor of Leo Solomon, for his services as Sergeant-at-Arms of the following committees: Roads and Highways, County and Township Governments, Counties and County Boundaries, Claims, Attachés and Employés, from January 7, 1901, to the day of adjournment *sine die*.

Read, and referred to Committee on Ways and Means.

BILL TAKEN UP OUT OF ORDER.

Mr. Johnson moved that Senate Bill No. 637 be taken up for consideration out of order.

So ordered.

Senate Bill No. 637—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Read second time, and ordered to third reading.

SPECIAL ORDERS.

Assembly Bill No. 812 (Committee Substitute for Assembly Bill No. 498)—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, and 2094, to repeal Sections 1981, 1983, 1990, 1992, and 2032, and to add a new section, to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—60.

NOES—None

Title read and approved.

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city, or town.

Notice of reconsideration having been previously given by Mr. Cowan.

The question being on the motion of Mr. Cowan to reconsider the vote whereby Assembly Constitutional Amendment No. 21 was previously refused adoption.

Mr. Stewart of Amador moved to lay on the table.

Motion lost.

The roll was called, and the vote whereby the Assembly refused to adopt Assembly Constitutional Amendment No. 21 was reconsidered by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bennink, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cromwell, Dunlap, Foster, Greer, Haley, Hasson, Higby, Hubbard, James, Johnson, Kincaid, Knight, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Treadwell, Walker, Webber, Williams, and Mr. Speaker—42

NOES—Messrs. Atherton, Bauer, Berry, Butler, Cavagnaro, Chandler, Feliz, Fisk, Franklin, Guilfoyle, Hanen, Irving, John, Kelley, Laird, Radcliff, Ralston, Roberts, Schlesinger, Stewart of San Diego, Stewart of Amador, and Wright—22.

Assembly Constitutional Amendment No. 21 ordered to unfinished business.

Mr. Treadwell moved that Senate messages be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day requests your honorable body to return Senate Bill No 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works—to the Senate for the purpose of correction

F J BRANDON, Secretary of Senate
By FRED L. THOMAS, Assistant Secretary.

Mr. Treadwell moved that Senate Bill No. 471 be recalled from Committee on Public Works, and that it be returned to the Senate for correction, as per request.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1901

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 383—An Act making an appropriation of $6,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

FISK, Chairman.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 259—An Act providing for the payment of certain costs and expenses incurred in the arrest, keeping, examination, and trial of any convict committed to either of the State prisons of the State of California, and of any inmate of the Whittier State School or Preston School of Industry, including the costs of coroners' inquests held on the body of any person confined in such prisons and schools.

Mr. Atherton moved that action on above be indefinitely postponed.

So ordered.

Assembly Bill No. 779—An Act to amend Section 159 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

The question being on the adoption of the following amendments:

AMENDMENT No. 1

Amend by adding after Section 1, line three hundred and thirty-eight, a new section, to be numbered Section 2, as follows:

"SEC. 2. Section forty of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, is hereby amended so as to read as follows.

"Section 40 The Board of Supervisors must not hear or consider any claim in favor of any public officer, person, corporation, company, or association against the county, nor shall the board credit or allow any claim or bill against the county or district fund, unless the same be itemized, giving names, dates, and particular service rendered, character of process served, upon whom, distance traveled, where and when, character of work done, number of days engaged, supplies or materials furnished, to whom, and quantity and price paid therefor, duly verified to be correct, and that the amount claimed is justly due, and is presented and filed with the clerk of the board within a year after the last item of the account or claim accrued; *provided, however*, that nothing herein contained shall apply to officers or employés of the county regularly employed at a monthly compensation, fixed by the Board of Supervisors at the time of appointment or employment, but in such case the Supervisors at the time of such appointment or employment shall furnish the County Auditor with a certified copy of said appointment or employment, and thereafter of any order revoking or changing the same, and on or before the first Monday in each month said board shall furnish the County Auditor a list of all such officers or employés entitled to compensation for the preceding month, and the County Auditor shall thereupon draw his warrant upon the County Treasurer for the amounts to which such officers or employés are entitled as aforesaid, and deliver the same to the claimant on or after the said first Monday If in case of any claim which requires itemizing, the board do not hear or consider the same because it is not itemized, they shall cause notice to be given to the claimant or his attorney of that fact and give time to have the claim itemized and re-verified.'

Amendment adopted.

AMENDMENT No. 2

Amend by adding after Section 1, line three hundred and thirty-eight, to follow Section 2, as amended, and to be numbered Section 3, as follows:

"SEC 3. Section two hundred and fifteen of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, is hereby amended so as to read as follows:

"Section 215. The salaries and fees provided in this Act shall be in full compensation for all services of every kind and description rendered by the officers herein named, either as officers or ex officio officers, their deputies and assistants, unless in this Act otherwise provided, and all deputies employed shall be paid by their principals out of

the salaries hereinbefore provided, unless in this Act otherwise provided; the Assessor shall be entitled to receive and retain for his own use six per cent on personal property tax collected by him, as authorized by section thirty-eight hundred and twenty of the Political Code, and fifteen per cent of all amounts collected by him for State poll-taxes and road poll-taxes, and also five dollars per hundred names of persons returned by him as subject to military duty, as provided in section nineteen hundred and one of the Political Code, and the License Collector shall be entitled to receive and retain for his own use ten per cent on all licenses collected by him, except where otherwise provided in this Act; *provided, however*, that in counties and cities and counties of the first, second, and third classes the Assessor shall receive no commission for the collection of taxes on personal property, nor shall such Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section nineteen hundred and one of the Political Code; *provided further*, that in counties of the second class the Assessor shall receive no commission for the collection of poll-taxes. In the cases where the Assessor does not personally receive the commissions for the collection of poll-taxes or personal property taxes, such commissions shall nevertheless be allowed to said county in its settlement with the State, and be and remain the property of such county; nor shall the License Collector in cities and counties of the first class, and in counties of the second class receive any commission on licenses collected by him; *provided*, that in any county where the number of Judges of the Superior Court shall have been increased since the first day of January, eighteen hundred and ninety-seven, or shall hereafter be increased, there must be and there hereby is allowed to the Sheriff of such county by reason of such increase one additional deputy to be appointed by the Sheriff at a salary not exceeding twelve hundred dollars per annum, to be paid at the same time and in the same manner as other county officers are paid; and also there must be and is hereby allowed to the County Clerk of such county one additional deputy to act as courtroom clerk for each judge so appointed or elected, at a salary not exceeding twelve hundred dollars per annum for each of said deputies, to be paid at the same time and in the same manner as other county officers are paid. The Board of Supervisors shall allow to the Sheriff his necessary expenses for pursuing criminals, or transacting any criminal business without the boundaries of his county, and for boarding prisoners in the county jail; *provided*, that the Board of Supervisors shall fix a reasonable price at which such prisoners shall be boarded, if not otherwise provided for in this Act; *provided further*, that the Sheriff shall be entitled to receive and retain for his own use five dollars per diem for conveying prisoners to and from State prisons, and for conveying persons to and from the insane asylums or other State institutions not otherwise provided for by law; also, all expenses necessarily incurred in conveying insane persons to and from the insane asylums, and in conveying persons to and from the State prisons or other State institutions, which per diem and expenses shall be allowed by the Board of Examiners and collected from the State. The court shall also allow the Sheriff his necessary expenses in keeping and preserving property seized on attachment or executions, to be paid out of the fees collected in the 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."

Amendment adopted.

Mr. Mattos moved to amend as follows:

Amend printed Amendment No. 2, line twenty-eight, page two, by inserting after the word "second" the words "and third."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out of Section 2, line one, the figure "2," and inserting in lieu thereof the figure "4."

Amendment adopted.

AMENDMENT No. 4.

Amend title of printed Assembly Bill No. 779 by striking out the words and figures "Section 159," and inserting in lieu thereof the following: "Sections 40, 159, and 215"

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out of Section 1, line three hundred and fourteen, the words "one hundred and fifty," and inserting in lieu thereof the words "two hundred."

Amendment adopted.

AMENDMENT No. 6.

Amend printed Assembly Bill No 779 by striking out of Section 1, line one hundred and thirty-one, the words "two deputies," and inserting the following in lieu thereof: "one deputy at a salary of $125 per month; one deputy"; also, by striking out the word "each," in line one hundred and thirty-two of same section.

Amendment adopted.

AMENDMENT No. 7.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and twelve, the word "and," and inserting after the word "deputy," in same line, the words "and one stenographer."

Amendment adopted.

AMENDMENT No. 8.

Amend printed Assembly Bill No. 779 by adding after the word "month," in line two hundred and sixteen, Section 1, the words "and one stenographer at a salary of $75 per month."

Amendment adopted.

AMENDMENT No 9.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and seventeen, the word "and," and inserting after the word "deputy," in same line, the words "and stenographer."

Amendment adopted.

AMENDMENT No. 10.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line thirteen, the word "thirty-five," and inserting the word "twenty-five."

Amendment adopted.

AMENDMENT No. 11.

Amend printed Assembly Bill No 779 by striking out of Section 1. line thirty-seven, the word "thirty-five," and inserting the word "twenty-five."

Amendment adopted.

AMENDMENT No. 12.

Amend printed Assembly Bill No. 779, by striking out of Section 1, line sixty-eight, the word "seven," and inserting the words "five and one half."

Amendment adopted.

AMENDMENT No. 13.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line seventy, the word "seven," and inserting the word "five."

Amendment adopted.

AMENDMENT No. 14.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line eighty, the word "fifty," and inserting the word "twenty-five."

Amendment adopted.

AMENDMENT No. 15.

Amend by striking out of Section 1, lines one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, and one hundred and thirty-six, the words: "and one detective at a salary of one hundred dollars per month, who shall assist the District Attorney in the detection of crime and the prosecution of criminal cases"; and also, by striking out the words "and detectives," in line one hundred and forty-one of same section; and also, by inserting the word "and" before the word "special," in line one hundred and forty-one, same section.

Amendment adopted.

AMENDMENT No. 16.

Amend by striking out of Section 1, line two hundred and fifteen, the word "ten," and inserting in lieu thereof the word "twenty-five."

Amendment adopted.

AMENDMENT No. 17.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and thirty-four, the word "forty," and inserting in lieu thereof the word "twenty-five."

Amendment adopted.

AMENDMENT No. 18.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and thirty-four, the word "six," and inserting in lieu thereof the word "five."

Amendment adopted.

AMENDMENT No. 19.

Amend printed Assembly Bill No. 779 by striking out of Section 1, line two hundred and thirty-five, the word "one," and inserting in lieu thereof the word "two."

Amendment adopted.

AMENDMENT No. 20.

Amend by inserting at the end of subdivision eleven, page seven of the printed bill: "11½ Each member of the County Board of Education, except the secretary thereof, five dollars for each session of the board attended, not exceeding a total of four hundred dollars to any member in one year. In addition, each member shall be entitled to mileage at the rate of ten cents per mile for one way only, while attending the regular sessions. Said compensation of the members of the Board of Education shall be payable monthly, and out of the same fund and in the same manner as the salary of the County Superintendent of Schools is paid. Said compensation shall be in full payment for all services rendered."

Amendment adopted.

Assembly Bill No. 779 ordered to print, engrossment, and third reading.

UNFINISHED BUSINESS.

Consideration of Governor's veto to Assembly Bill No. 314—An Act to amend Section 180 of the Penal Code of the State of California, relating to the bringing into the State prisons, or any of the reformatories therein, or within the grounds of such institutions, any opium, morphine, cocaine, or other narcotics, intoxicating liquors of any kind, or firearms, weapons, or explosives, and fixing the penalty therefor.

Mr. Webber moved that action on same be indefinitely postponed.

So ordered.

Consideration of Senate amendment to Assembly Bill No. 683—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections.

On motion of Mr. Schlesinger the consideration of Senate amendment to Assembly Bill No. 683 was postponed until Wednesday, March 6, 1901.

At eleven o'clock A. M., the Speaker called Speaker pro tem. Ralston to the chair.

Assembly Bill No. 793—An Act to amend the Political Code by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

Pending further amendments, Mr. Johnson moved to amend as follows:

Amend Section 1367, page thirteen of the printed bill, by striking out from the word "the," in line eleven of said section, to and including the word "organization," in line nineteen of said section, and inserting in lieu thereof as follows: "The ballot clerk shall then ask him this question, and none other, 'Do you indorse the principles of the party which you have named, according to the most recent declaration of its principles by the highest authority in that party?' Upon an affirmative answer being given to the question by him, and not otherwise, he shall be furnished one of the official ballots containing the name of the party so named by him, and permitted to vote thereon; and he shall not be permitted to vote any other party ballot at that election."

Amendment adopted.

Mr. Macbeth moved to amend as follows:

Strike out of Section 1373, line thirteen, page seventeen, the words "prior to May fifteenth of such year," and insert the words in line ten, Section 1373, page seventeen, after the word "Assembly."

Amendment adopted.

Mr. Sheridan moved to amend as follows:

Strike out from Section 1367, page thirteen, the words "according to the most recent declaration of its principles by the highest authority of that party."

Amendment lost.

Assembly Bill No. 793 made special order for to-morrow.

Mr. Fisk moved that Senate messages be taken up for consideration.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and all expenses connected therewith," which became a law under constitutional provision without the Governor's approval on March 7, 1899.

Also: Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Also: Senate Bill No. 513—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

F. J. BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and of all expenses connected therewith," which became a law under constitutional provision without the Governor's approval on March 7, 1899.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 513—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No 652—An Act making an appropriation to pay the contingent expenses of the Senate, thirty-fourth session of the Legislature.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

At eleven o'clock and fifty minutes A. M., Mr. Fisk moved that the time of recess be extended until Senate Bill No. 652 had been disposed of.

So ordered.

RESOLUTION—(CASE OF URGENCY).

By Mr. Fisk:

Resolved, That Senate Bill No 652 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—63.

NOES—None.

Senate Bill No. 652—An Act making an appropriation to pay the contingent expenses of the Senate, thirty-fourth session of the Legislature.

Read first and second times.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Senate Bill No. 652.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Senate Bill No. 652 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 652—An Act making an appropriation to pay the contingent expenses of the Senate, thirty-fourth session of the Legislature—and do now report the same back, and recommend that the same do pass.

RALSTON, Chairman.

Report adopted.

Senate Bill No. 652 considered engrossed, and ordered to third reading.

Senate Bill No. 652—An Act making an appropriation to pay the contingent expenses of the Senate, thirty-fourth session of the Legislature.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Evatt, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McLoughlin, McNeil, Melick, Merritt, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock and five minutes P. M., the Speaker pro tem. declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

At two o'clock and five minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

Mr. Pendleton moved that Senate messages be taken up for consideration.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No. 651—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, San Bernardino County, to sell and convey a strip or parcel of real property situate in San Bernardino County, in the State of California, and belonging to said State, to the San Pedro, Los Angeles & Salt Lake Railroad Company, for the purposes of a right of way and depot grounds for a steam railroad.

Also: Passed Senate Bill No 110—An Act to enforce the educational rights of children, and providing penalties for violation of the Act

Also: Senate Bill No. 232—An Act to amend Section 850 of the Code of Civil Procedure.

Also: Senate Bill No. 384—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital at Stockton, to repair the boilers of the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Senate Bill No 627—An Act to authorize and empower the State Board of Prison Directors to purchase California-grown hemp, to be used in the manufacture of grain bags, and to fix the price at which such bags shall be sold.

F. J BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

RESOLUTION—(CASE OF URGENCY).

By Mr. Pendleton:

Resolved, That Senate Bill No. 651 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Macbeth, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Rutherford, Schilling, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—58.

NOES—None.

Senate Bill No. 651—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, to sell and convey a strip of real property to the San Pedro, Los Angeles & Salt Lake Railroad Company for a right of way.

Read first time.

Senate Bill No. 651—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, to sell and convey a strip of real property to the San Pedro, Los Angeles & Salt Lake Railroad Company for a right of way.

Read second time, and ordered to third reading.

Senate Bill No. 651—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane,

near the City of San Bernardino, to sell and convey a strip of real property to the San Pedro, Los Angeles & Salt Lake Railroad Company for a right of way.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Cavagnaro, Clarke, Collins, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, James, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—58

NOES—None.

Title read and approved.

FIRST READING OF SENATE BILLS.

Senate Bill No. 110—An Act to enforce the educational rights of children, and providing penalties for violation of the Act.

Read first time, and referred to Committee on Education.

Senate Bill No. 232—An Act to amend Section 850 of the Code of Civil Procedure.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 384—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital at Stockton to repair the boilers of the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 627—An Act to authorize and empower the State Board of Prison Directors to purchase California-grown hemp, to be used in the manufacture of grain bags, and to fix the price at which such bags shall be sold.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

At two o'clock and twenty minutes P. M., the Speaker resumed the chair.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following Senate bills:

Senate Bill No. 118—An Act to pay the claim of Major José Ramon Pico, and making an appropriation therefor.

Senate Bill No 298—An Act to amend Section 379 of the Code of Civil Procedure.

Senate Bill No. 560—An Act requiring corporations organized under the laws of another State, Territory, or foreign country to file a certified copy of their articles of incorporation in the office of the Secretary of State, and a certified copy thereof, duly certified by the Secretary of State of this State, in the office of the County Clerk of the county where its principal place of business is located, and also where such corporation owns property, and requiring such corporation to pay to the Secretary of State the same fees as are paid by corporations formed under the laws of the State of California, and providing for a penalty for the violation of the provisions of this Act.

Also: Refused to concur in Assembly amendments to Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897.

And respectfully ask your honorable body to recede therefrom.

F. J BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Mr. Knowland moved that the Assembly do not recede from its amendments to Senate Bill No. 407.

The roll was called, and the motion not to recede from the amendments carried by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Johnson, John, Kelley, Kincaid, Knowland, Laird, Macbeth, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—None.

MOTION.

Mr. Knowland moved that a committee of three be appointed as a committee of conference on Senate Bill No. 407.

So ordered.

APPOINTMENT OF CONFERENCE COMMITTEE.

Messrs. Knowland, Stewart of San Diego, and Bliss were appointed as such committee.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 258—An Act to provide for the location, construction, and maintenance of a State highway, from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Assembly Bill No. 685—An Act to amend the Code of Civil Procedure of the State of California by adding thereto six new sections, to be numbered 710, 711, 712, 713, 713*a*, and 713*b*, to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor, to release the property so claimed from the levy and lien of said execution, to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking; and for the examination and determination of such objections, and the giving of a new undertaking, in case any objection made is sustained by the court, or admitted.

Assembly Bill No 625—An Act to amend Sections 626, 627, and 631 of the Penal Code of the State of California, to add seventeen new sections to said code, to be numbered 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 626*j*, 626*k*, 626*l*, 626*m*, 627*a*, 627*b*, 631*a*, and 631*b*, all relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund

Assembly Bill No 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California or any political subdivision thereof, providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Assembly Bill No 646—An Act to add a new section to the Political Code of the State of California, to be numbered 1120, relating to registrations.

G. H. ANDERSON, Acting Chairman.

SENATE SPECIAL FILE.

Committee Substitute for Senate Bills Nos. 311 and 382—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein, and making an appropriation for the payment of any final judgments which may be recovered thereunder.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfolye, Haley, Hanen, Higby, Irish, Johnson, John, Kelley, Knight, Laird, Levinson, Macbeth, McNeil, Merritt, Miller, Myers, Ralston, Ray, Reeber, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, and Mr Speaker—44.

NOES—Messrs. Collins, Cromwell, Evatt, Hasson, Henry, Hubbard, McLoughlin, Radcliff, Rutherford, Savage, Schillig, Sutro, Walker, Williams, and Wright—15.

Title read and approved.

Messrs. Melick and Feliz were excused from voting, being personally interested.

Senate Bill No. 195—An Act to pay the claim of August Zimmerman against the State of California, and making an appropriation therefor.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anderson of Solano, Brady, Duryea, Greer, Hanen, Henry, Irish, Johnson, Kelley, Miller, Reeber, and Wright—12.

NOES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hasson, Hourigan, Hubbard, James, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—56.

Senate Bill No. 561—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

Read second time, and ordered to third reading.

Senate Bill No. 450—An Act to amend an Act entitled "An Act making it unlawful to refuse admission to places of amusement."

Mr. Kelley moved that Senate Bill No. 450 be passed on file.

Motion lost.

Read third time.

Mr. Kelley moved that a select committee of one be appointed to amend Senate Bill No. 450 as follows:

Amend by striking out of Section 1 of printed bill all after the word "thereof," in line fifteen.

Motion lost.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Kelley, McWade, and Sutro—3

NOES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, Wright, and Mr. Speaker—62.

Committee Substitute for Senate Bills Nos. 93 to 101—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3889 of the Political Code of the State of California, relating to the assessment and collection of taxes.

Read second time.

Mr. McWade moved to amend by striking out the enacting clause.

Motion carried, and so ordered.

Mr. Treadwell moved that Senate Bill No. 164 (115 on file) and Committee Substitute for Senate Bill No. 140 (97 on file) be transposed on file.

So ordered.

Senate Bill No. 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

Read second time.

Mr. Sutro moved to amend by striking out the enacting clause.

Pending discussion of amendment of Mr. Sutro to Senate Bill No. 164, at three o'clock and twenty-eight minutes P. M. Mr. Fisk moved that the time for consideration of Senate Special File be extended until four o'clock P. M.

So ordered.

The question recurring on the adoption of Mr. Sutro's motion.

Motion lost.

Senate Bill No. 164 ordered to third reading.

Committee Substitute for Senate Bill No. 592—An Act to amend an Act entitled "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, to provide for the payment of such bonds, and for proceedings to test the validity of same," approved April 1, 1897, by repealing Sections 5, 6, 7, 8, 9, and 10, and by amending Sections 4, 16, and 18 thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of Amador Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—68.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 281—An Act to provide for the location, construction, and maintenance of a State highway from a point at or near Merced Falls to the boundary line of the Yosemite National Park at its crossing of the Merced River.

Assembly Bill No 768—An Act to amend the Penal Code by adding one new section to Title VII thereof, relative to crimes against public justice, said section to be numbered 181.

Assembly Bill No 769—An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors

And were presented to the Governor this day at eight o'clock P. M.

Assembly Bill No. 879—An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about said fort.

And was presented to the Governor this day at ten o'clock and ten minutes A. M.

Assembly Bill No. 425—An Act regulating the hours of service on regular duty by members of the police department of cities, and cities and counties

Assembly Bill No 588—An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, by adding thereto after the figures "180" the letter "a," relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc

Assembly Bill No. 24—An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments

And were presented to the Governor this day at two o'clock and ten minutes P. M.

FRANKLIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Read second time, and ordered to third reading.

Senate Bill No. 473—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Read second time, and ordered to third reading.

Senate Bill No. 170—An Act to amend an Act entitled "An Act to authorize the Boards 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.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting in line ten, page two, Section 2 of printed bill, after the figures "$25," the following: "Not less than $15."

Amendment adopted.

AMENDMENT No 2.

Amend by inserting in line ten, page three, Section 2 of printed bill, after the figures "$25," the following: "Not less than $15"

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting in line ten, page three, Section 2 of printed bill, after the figures "$25," the following: "Not less than $15."

Amendment adopted.

Senate Bill No. 170 ordered to print and third reading.

Senate Bill No. 365—An Act for the relief of J. E. Atkinson for personal injuries received by him while in the service of the State.

Read second time.

Mr. Dunlap moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 365.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 365 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 365—An Act for the relief of J. E. Atkinson for personal injuries received by him while in the service of the State—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 365 ordered to third reading.

RESOLUTION.

Mr. Duryea presented the following resolution, from Roseville Grange, No. 161:

WHEREAS, The committee appointed by the Senate at the thirty-second session of the Legislature to make an examination of State institutions, in referring to the Board of State Harbor Commissioners, reports, "There is no occasion whatever for a superintendent of the (ferry) building, except to give some one a place, the law placing the superintendency of that building in the Chief Wharfinger", and

WHEREAS, The commission now has a man on its payroll at $100 per month as superintendent of the Ferry Building; and

WHEREAS, This Senate report further says, "There is no occasion for the employment of any police force by the Harbor Commission in the City of San Francisco, as it is the duty of the city and its police department to take care of all property within the city, and there is no authority of law and no necessity, so far as your committee can learn, for the maintenance of any such force"; and

WHEREAS, The commission now has in its employ two policemen at $75 per month, and

WHEREAS, Said report further says, "Watchmen are maintained upon the wharves, which is an unnecessary expense, the claim being made that because the State does not insure its property, it becomes necessary to employ watchmen to guard it." Your committee is of the opinion that there is nothing substantial in this claim On all the wharves occupied to any great extent by transportation companies, they themselves keep a watchman for the protection of their own property, and certainly the State has no occasion to keep one itself, under such circumstances, and there is no occasion for the employment of these watchmen that your committee is advised of; and

WHEREAS, The commission now employs three watchmen at a salary of $75 per month; and

WHEREAS, Howard C. Holmes, chief engineer of the commission, in his report to the board for the two fiscal years ending June 30, 1900, says: "In the years 1899 and 1900 the number of cars switched on the Belt Railroad were 48,600, at an actual cost of about $1.25 per car, or at a loss of fifty cents per car for every car switched," thus showing a loss of over $12,000 per annum in this one item alone; and

WHEREAS, Grave charges of extravagance and unbusiness-like methods of management have been preferred against the Board of State Harbor Commissioners of San Francisco, not alone by the public press, but by reputable citizens, and the Chamber of Commerce of San Francisco; therefore, be it

Resolved by Roseville Grange No. 161, of the Order of Patrons of Husbandry, That we, the members of said grange, individually as taxpayers and citizens, and collectively as an organization, having the welfare of our State, and especially the agricultural interests thereof, at heart, do most earnestly, yet respectfully, request the Legislature of California at its present session to take some action looking toward the thorough and impartial investigation of the management of said commission, and we would suggest that a hold-over committee be appointed for this purpose, in order that it may make a complete examination of the affairs of the commission and report to the next session of the Legislature And we would suggest to the Legislature the advisability, in case such a committee is appointed, of placing men thereon of known integrity and ability (and we believe there are such among even our much-abused legislators), for, we believe, if an attempt is made to whitewash or smother this thing, the day will come when it will "smell to high heaven" and be investigated by "the people," and when that day does come, woe betide the men and party who attempt to smother it; and be it further

Resolved, That a copy of this resolution, duly signed by the secretary of this grange, stamped with the seal thereof, and countersigned by the master, be forwarded to Hon. Frank Duryea, our representative in the State Legislature at Sacramento, with the request that he lay this matter before the Legislature and urge its investigation; and be it further

Resolved, That every subordinate grange in California be asked to urge their representatives in the Legislature to take similar action, inasmuch as this is a matter that touches the pockets of every producer in the State.

Ordered printed in the Journal.

UNFINISHED BUSINESS.

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

Pending amendment, Mr. James moved that a select committee of one be appointed to amend Assembly Bill No. 109 as follows:

In lines nineteen and twenty, Section 3, page eight, strike out the words "said name is not the same or so similar to that of any existing party as to mislead voters," and insert in lieu thereof the following: "that the name so selected and adopted shall not be the name of any existing political party, or the name of any existing political party with either an affix or prefix, or other word or words, or so similar to that of an existing political party as to deceive or mislead the voter."

Amendment lost.

Assembly Bill No. 109 made "rush" order to print, reëngrossment, and final action.

RECONSIDERATION OF VOTE.

In accordance with previous notice, Mr. Broughton moved to reconsider the vote whereby the Assembly passed Committee Substitute for Senate Bill No. 19—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

The question being, "Shall the vote whereby Committee Substitute for Senate Bill No. 19, which was on yesterday passed, be reconsidered?"

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—53.

NOES—Mr. Irish—1.

Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Mr. Broughton moved that a select committee of one be appointed to amend Substitute for Senate Bill No. 19 as follows:

Strike out of Section 4, line twelve of printed bill, the word "fifty," and insert in lieu thereof the word "twenty-five."

Also: Strike out of Section 6, line fourteen of printed bill, the word "when," and insert in lieu thereof the word "then."

Also: Insert in Section 9, line fifteen, after the word "dealer," the word "a."

Motion carried, and so ordered.

Mr. Broughton was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 19—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—with instructions to amend, now reports that the instructions of the Assembly have been carried out

BROUGHTON, Committee.

Report and amendments adopted.

Senate Bill No. 19 ordered to print and on file for final action.

TIME OF RECESS EXTENDED.

At four o'clock and twenty-eight minutes P. M., the time of recess was extended ten minutes.

SECOND-READING FILE.

Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

Read second time.

The following amendments were submitted by the committee:

AMENDMENT No. 1.

Amend Assembly Bill No. 433 by striking out from page nine of the printed bill all of subdivision fourteen after the word "year," in line two hundred and eighty-six on said page nine

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all of subdivision eleven, page seven of the printed bill, and inserting in lieu thereof the following:

"Eleventh—The powers and duties of High School Boards shall be such as are now or may hereafter be assigned by law to Boards of Education or Boards of School Trustees. In any city, incorporated town, school district, or union high school district, which shall have voted to establish and maintain a high school, or which is now maintaining a high school, the High School Board of such High School District may, when in its judgment it is advisable, and must upon a petition of a majority of the heads of families residing in such High School District, call an election and submit to the electors of the High School District whether the bonds of such High School District shall be issued and sold for the purpose of raising money for purchasing high school lots, for building or purchasing one or more high school buildings, for insuring the same, for supplying the same with furniture and necessary apparatus, for improving the grounds, or for any or all of said purposes, for liquidating any indebtedness already incurred for said purposes, and for refunding any outstanding valid indebtedness, evidenced by bonds or the warrants thereof. Such election must be called by posting notices signed by the High School Board, in three of the most public places in the High School District, for not less than twenty days before the election; and if there is a newspaper published in the county in which said district was organized, by publishing such notice therein not less than once a week for three successive weeks. Such notice must contain: (1) The time and place of holding such election (2) The names of the inspector and judges to conduct the same. (3) The hours during the day in which the polls will be open (4) The amount and denomination of the bonds, the rate of interest, and the number of years, not exceeding twenty, the whole or any part of said bonds are to run. Such election shall be conducted in conformity with the provisions of sections one thousand five hundred and ninety-six, one thousand five hundred and ninety-seven, one thousand five hundred and ninety-eight, one thousand five hundred and ninety-nine, one thousand six hundred, one thousand six hundred and one, and one thousand eight hundred and thirty-four of this code, except that the words to appear upon the ballots shall be 'High School Bonds —Yes,' or 'High School Bonds —No.' On the seventh day after said election, at one o'clock P. M., the returns having been made to the High School Board of such High School District, such High School Board must meet and canvass said returns, and if it appears that two thirds of the votes cast at said election were cast in favor of issuing such bonds, then such High School Board shall cause an entry of that fact to be made upon its minutes, and shall certify to the Board of Supervisors of the county in which such district was organized all of the proceedings had in the premises, and thereupon said Board of Supervisors shall be and it is hereby authorized and directed to issue the bonds to such High School District, to the number and amount provided in such proceedings, payable out of the building fund of such High School District, naming the same, and that the money shall be raised by taxes upon the taxable property in said High School District for the redemption of said bonds and the payment of the interest thereon, *provided*, that the total amount of bonds so issued shall not exceed five per cent of the taxable property of the High School District as shown by the last equalized assessment of the county or counties in which such district is located. The Board of Supervisors, by an order entered upon its minutes, shall prescribe the form of said bonds and of the interest coupons attached thereto, and must fix the time when the whole or any part of the principal of said bonds shall be payable, which shall be not more than twenty years from the date thereof. Said bonds must not bear a greater amount of interest than eight per cent, said interest to be payable annually or semi-annually, and said bonds must be sold in the manner prescribed by the Board of Supervisors, but for not less than par, and the proceeds of the sale thereof must be deposited in the County Treasury to the credit of the building fund of the

said High School District, and be drawn out for the purposes aforesaid as other school moneys are drawn out.

"The Board of Supervisors of the county in which such High School District was organized, at the time of making the levy of taxes for county purposes must levy a tax for that year upon the taxable property in such High School District for the interest and redemption of said bonds, and said tax must not be less than sufficient to pay the interest of said bonds for that year, and such portion of the principal as is to become due during such year, and in any event must be high enough to raise, annually, for the first half of the term said bonds have to run, a sufficient sum to pay the interest thereon, and during the balance of the term high enough to pay such annual interest, and to pay, annually, a proportion of the principal of said bonds, equal to a sum produced by taking the whole amount of said bonds outstanding and dividing it by the number of years said bonds then have to run; and all taxes so levied, when collected shall be paid into the County Treasury of the county in which such district was organized, to the credit of the building fund of such High School District, and be used for the payment of the principal and interest on said bonds and for no other purpose. The principal and interest on said bonds shall be paid by the County Treasurer upon the warrant of the Auditor out of the fund provided therefor; and it shall be the duty of the Auditor to cancel and file with the Treasurer of the county in which such district was organized, the bonds and coupons as rapidly as they are paid. That part of any High School District which has been admitted to said High School District from another county under the provisions of this section shall be deemed a part of the county wherein such High School District was organized, for all purposes connected with the issuance of the bonds of said High School District, including the levying and collecting of taxes for the payment of the principal and interest of said bonds. If the Board of Supervisors of any county which has issued bonds under the provisions of this Act shall fail to make the levy necessary to pay such bonds or interest coupons at maturity and the same shall have been presented to the County Treasurer, and the payment thereof refused, the owner may file the bond, together with all unpaid coupons with the State Controller, taking his receipt therefor, and the same shall be registered in the State Controller's office; and the State Board of Equalization shall at its next session, and at each annual equalization thereafter, add to the State tax to be levied in said High School District a sufficient rate to realize the amount of principal or interest past due prior to the next levy, and the same shall be levied and collected as a part of the State tax and paid into the State Treasury and placed to the special credit of such High School District bond tax, and shall be paid by warrants, as the payments mature, to the holders of such registered obligations as shown by the register in the office of the State Controller, until the same shall be fully satisfied and discharged; any balance then remaining being passed to the general account and credit of said High School District. Whenever any bonds issued under the provisions of this section shall remain unsold for the period of six months after having been offered for sale in the manner prescribed by the Board of Supervisors, the High School Board of the High School District, for and on account of which such bonds were issued, may petition the Board of Supervisors of the county in which such High School District was organized to cause such unsold bonds to be withdrawn from the market and canceled. Upon receiving such petition, signed by a majority of the members of said High School Board, the said Board of Supervisors shall fix a time for hearing the same, which shall not be more than thirty days thereafter, and shall cause a notice, stating the time and place of hearing, and the object of the petition in general terms, to be published for ten days prior to the day of hearing, in some newspaper published in said High School District, if there is one, and if there is no newspaper published in said High School District, then in a newspaper published at the county seat of the county in which such High School District was organized. At the time and place designated in the notice for hearing said petition, or at any subsequent time to which said hearing may be postponed, the Board of Supervisors of the county in which such High School District was organized, shall hear any reasons that may be submitted for or against the granting of the petition, and if said board shall deem it for the best interests of the High School District named in the petition, that such unsold bonds be canceled, said board shall make and enter an order in the minutes of its proceedings that said unsold bonds be canceled; and thereupon said bonds and the vote by which they were authorized to be issued shall cease to be of any validity whatever."

Amendment adopted.

AMENDMENT No. 3.

Amend page eight of the printed bill by inserting after the comma on line two hundred and fifty-seven, the following: "which is now maintaining a High School or."

Amendment adopted.

AMENDMENT No. 4.

Amend page nine of the printed bill by inserting after the word "year," in line two hundred and eighty-six, the following: "*provided, however*, that the High School Board therein may, when in its judgment it is deemed advisable, and must upon the petition of a majority of the heads of families residing in said High School District, call an election and submit to the electors of said High School District whether the bonds of

said High School District shall be issued and sold for the purposes mentioned in subdivision eleventh of this section, and in case said election is determined in favor of the issuance of said bonds, the same shall be issued as provided in subdivision eleventh of this section, for any or all of the purposes mentioned therein."

Amendment adopted.

Assembly Bill No. 433 made "rush" order to print, reengrossment and third reading.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON STATE PRISONS AND REFORMATORY INSTITUTIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No 627—An Act to authorize and empower the Board of Directors of San Quentin State Prison to purchase California-grown hemp to be used in the manufacture of grain bags, and to fix the price at which such bags shall be sold—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

IRISH, Chairman.

SPECIAL ORDER.

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city, or town.

Mr. Carter moved to amend as follows:

Amend Assembly Constitutional Amendment No. 21 by striking out all after the figures "17," in line eight of page one, down to and including line thirty-one on page two of the printed bill, and inserting in lieu thereof the following: "The making of profit out of county, city, town, or other public money, or using the same for any purpose not authorized by law, by any officer having the possession or control thereof, shall be a felony, and shall be prosecuted and punished as prescribed by law, and the Legislature may authorize and direct the Treasurer or other custodian of public money to place the same at interest in solvent public depositories on the security of bonds of the United States or this State under such conditions as may be prescribed by law."

Amendment adopted.

Assembly Constitutional Amendment No. 21 ordered to print.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 556—An Act to add a new section to the Penal Code, to be numbered 380*a*, relating to the regulation of the marking, identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RALSTON, Chairman.

ON WAYS AND MEANS—(SUB-COMMITTEE).

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your sub-committee on Ways and Means begs leave to report that it has visited the Custom House at Monterey, pursuant to the appointment and direction of the chairman of said committee, in accordance with resolution heretofore adopted, and that there is now due to W. W. Greer, for mileage, the sum of $45.

We therefore recommend the adoption of the following:

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of W. W. Greer in the sum of $45, and the State Controller is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

GREER, Chairman

Report and resolution adopted.

NOTICES OF RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby the enacting clause was stricken from Committee Substitute for Senate Bills Nos. 93 to 101, inclusive.

Mr. Anderson gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly passed Assembly Bill No. 62—An Act to establish the California State Dairy School and Experiment Farm, and to appropriate money therefor.

Mr. Myers called up the notice of motion, and moved to lay same on the table.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON CENSUS AND APPORTIONMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on Census and Apportionment, to whom was referred Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Also: Assembly Bill No. 878—An Act to amend Section 352 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and term of office of members of the Board of Equalization.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No 488—An Act to add a new section, to be known as Section 15½, and to amend Sections 14, 21, 22, 26, 28, and 57 of an Act entitled "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," approved March 31, 1897—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Assembly Bill No 488—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

CARTER, Chairman.

RECESS.

At four o'clock and forty-five minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Ralston moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing a punishment for a violation thereof."

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes,

packages, or barrels containing fruit, and providing a punishment for a violation thereof—herewith return the same with the recommendation that the author be permitted to introduce it.

RALSTON, Chairman.

The question being on the adoption of the report of Committee on Introduction of Bills.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

NOES—None.

INTRODUCTION OF BILL.

By Mr. Broughton: Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Read first time, and ordered placed on file.

SPECIAL URGENCY FILE.

Assembly Bill No. 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—59.

NOES—Mr. Foster—1.

Title read and approved.

Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read second time.

Mr. Radcliff 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. 235.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 235 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman

Report adopted.

Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

The following committee amendments were submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the words "from and after January first, nineteen hundred and two."

Amendment adopted.

Also:

Amend by inserting the words "of Santa Cruz, California," in line five, Section 1, first page, printed bill

Amendment adopted.

Assembly Bill No. 235 ordered to print, engrossment, and third reading.

Assembly Bill No. 706 (Committee Substitute for Assembly Bill No. 358)—An Act to amend Sections 1503, 1521, 1663, 1670, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the word "or" after the word "grammar," in line thirty-four, page three of printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out all after the word "county," in line sixteen, and all of lines seventeen and eighteen of Section 5, page seven of the printed bill, and inserting after the word "county," in said line sixteen, a period.

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting after the word "industrial," in line eleven, Section 6, page nine of printed bill, the word "elementary."

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the word "certificates," in line fifteen of Section 7, page nine of the printed bill, and inserting in lieu thereof the word "certificate"

Amendment adopted.

AMENDMENT No. 5.

Amend by striking out the word "in," in line thirty-three, page ten of the printed bill, and inserting in lieu thereof the word "or."

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out the word "thirty," in line forty-nine, page four of printed bill, and inserting the words "twenty-one" in lieu thereof.

Amendment adopted.

AMENDMENT No. 7.

Amend by striking out the word "said" from line eight of page one of the printed bill, and inserting in lieu thereof the word "such."

Amendment adopted.

AMENDMENT No. 8.

Strike out from line nine of said page one the words "grammar school."

Amendment adopted.

AMENDMENT No. 9.

Insert after the word "certificate," in said line nine, the words "corresponding in grade to the grade of the diploma."

Amendment adopted.

Assembly Bill No. 706 ordered to print, engrossment, and third reading.

BILL RECALLED FROM COMMITTEE.

Mr. Broughton moved that Assembly Bill No. 880 be recalled from Committee on Fruit and Vine Interests and placed in space allotted to Mr. Broughton on Urgency File.

So ordered.

SUBSTITUTION OF BILLS.

Mr. Johnson moved (by permission of Mr. Chiles) that Assembly Bill No. 625 be withdrawn, and that Senate Bill No. 319 be placed in its place on the file.

So ordered.

Assembly Bill No. 625 withdrawn by author.

SECOND READING OF SENATE BILL.

Senate Bill No. 319—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof, and to repeal an Act now in force relating to the same and known as "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.

Read second time, and ordered to third reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 604—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, 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.

Mr. Cavagnaro moved that Committee on Commerce and Navigation be instructed to report Assembly Bill No. 604 back to the Assembly to-morrow.

So ordered.

Mr Cromwell (by permission of Mr. Atherton) moved that Assembly Bill No. 754 (255 on file) be substituted in the place of Assembly Bill No. 676 (167 on file), and that Assembly Bill No. 676 be placed at the foot of second-reading file.

So ordered.

Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Johnson, John, Kincaid, Knight, Macbeth, McNeil, Milice, Miller, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—55.
NOES—Mr. Laird—1.

Title read and approved.

Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, Wright, and Mr. Speaker—63.
NOES—None.

Title read and approved.

Assembly Bill No. 766 (Committee Substitute for Assembly Bill No. 136)—An Act to amend Section 1665, and to repeal Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Read second time.

Mr. Knowland moved to amend as follows:

Strike out of line two of title the words "to repeal."

Amendment adopted.

Also:

Amend by striking out all of Section 2 and inserting the following:
"SEC. 2. Section 1666 of the Political Code is hereby amended to read as follows:
"Other studies may be authorized by the Board of Education of any county, city, or city and county, but such studies if so authorized shall be in lieu of a corresponding number of such enumerated studies specified in the preceding section, and not in addition thereto."

Amendment adopted.

Mr. Sutro moved to amend as follows:

Insert after the word "bookkeeping" in line eleven of Section 1, and after the word "bookkeeping," in line twelve of Section 1, the words "humane education."

Amendment lost.

Mr. James moved to reconsider the vote whereby amendment offered by Mr. Sutro was refused adoption.

So ordered.

The question now recurring on the following amendment by Mr. Sutro:

Amend by inserting after the word "bookkeeping," in line eleven of Section 1, and after the word "bookkeeping," in line twelve of Section 1, the words "humane education."

Amendment adopted.

Assembly Bill No. 766 ordered to print, engrossment, and third reading.

Assembly Bill No. 440—An Act to amend Sections 25 and 52 of an Act entitled "An Act to establish a uniform system of county and

township government," approved April 1, 1897, relating to powers of Supervisors of counties.

Passed temporarily on file.

Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to the National Guard.

Senate Bill No. 215 withdrawn from allotted space, and the following substituted:

Assembly Bill No. 625 (Committee Substitute for Assembly Bill No. 502)—An Act to amend the Penal Code of the State of California, relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

The following seven members objected to consideration of Assembly Bill No. 625 on this file: Messrs. Schlesinger, Cowan, Guilfoyle, Melick, Ray, Chiles, and Haley, and the same was withdrawn.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: The undersigned object to the consideration of Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan corporations—on the Special Urgency File.

G. L. JOHNSON.
F. A. CROMWELL.
JOHN B. IRISH.
J. W. P LAIRD.
F. A. DUNLAP.
R. H. MYERS.
T. J. SHERIDAN.
HENRY W. BROWN.
F. P. FELIZ.

Mr. Higby moved that the rules be suspended whereby seven members can object to a bill being placed on the Urgency File.

Motion lost.

Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by an execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted.

Read third time.

Mr. Sheridan moved that a select committee of one be appointed to amend Assembly Bill No. 685 as follows:

Strike out the word "attachment" from lines twenty-three and twenty-four, page two of the amended printed bill, and insert in lieu thereof the word "execution."

Motion carried, and so ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking, to

provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee.

Report and amendment adopted.

Assembly Bill No. 685 ordered to print, reengrossment, and third reading.

Assembly Bill No. 543—An Act regulating the hours of service on regular duty by members of the fire department of cities, and cities and counties.

Read second time.

Mr. Guilfoyle offered the following amendments:

Amend by striking out of Section 1, line three, the word "fireman," and inserting the word "firemen."

Amendment adopted.

Also:

Amend by inserting in the title, line two, the words "of the first class" after the word "cities"

Amendment adopted.

Also:

Amend by inserting in Section 1, line one, the words "of the first class" after the word "cities."

Amendment adopted.

Assembly Bill No. 543 ordered to print, engrossment, and third reading.

Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 707 (Committee Substitute for Assembly Bill No. 424)—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued.

Read second time, ordered to engrossment and third reading.

At eight o'clock and forty-five minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

Assembly Bill No. 517—An Act to amend Sections 3546, 3547, and 3555 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Read second time.

The following committee amendments were submitted:

Amend by striking out the words "or sold," in line forty-six, page two, printed bill.

Amendment adopted.

Also:

Amend by striking out the words "or purchaser," in line forty-seven, page two, printed bill.

Amendment adopted.

Assembly Bill No. 517 ordered to print, engrossment, and third reading.

Assembly Bill No. 681—An Act to promote the horticultural interests of the State by providing County Boards of Horticultural Commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing County Boards of Horticulture," approved March 31, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, line three of printed bill, by striking out the word "resident."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting in line sixteen, page two of printed bill, after the word "compensation," the following: "They shall each hold office for a term of four years, except that of the three first appointed, two, to be determined by lot, shall retire at the end of three years, when their successors shall be appointed."

Amendment adopted.

Assembly Bill No. 681 ordered to print, engrossment, and third reading.

Mr. Macbeth moved that Assembly Bill No. 330 be taken up for the purpose of amendment.

So ordered.

Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Read third time.

Mr Macbeth moved to refer Assembly Bill No 330 to a select committee of one with instructions to amend as follows:

Amend by inserting before the figure "8," in line one of the title to the amended printed bill, the word "and."

Also: Amend by striking out of line one of the title to the amended printed bill the word and figures "10 and 12."

Motion carried, and so ordered.

Mr. Macbeth was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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'"—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

MACBETH, Committee.

Report and amendments adopted.

Assembly Bill No. 330 ordered to print, engrossment, and final action.

Mr. Gans moved that Assembly Bill No. 640 be placed in space 179 on the file.

So ordered.

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Hourigan, Knight, Levinson, Myers, Ralston, Schilig, and Wright—15.

NOES—Messrs. Butler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hubbard, Irish, Irving, Kincaid, Macbeth, Mattos, Melick, Radcliff, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—32.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 640 was this day refused passage.

BILL TRANSPOSED ON FILE.

Mr. Greer moved that Assembly Bill No. 507 be placed at foot of second-reading file, and that Assembly Bills Nos. 426 and 205 be placed in its place on the Special Urgency File.

So ordered.

THIRD READING OF BILL.

Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J. Elder for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Macbeth, Mattos, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—59.

NOES—None.

Title read and approved.

SECOND READING OF BILL.

Assembly Bill No. 595—An Act to define express companies, and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the words "railroad or steamboat," in line six of Section 1 of the printed bill, and insert in lieu thereof the words "common carrier or transportation."

Amendment adopted.

AMENDMENT No. 2.

Strike out the words "railroads or steamboats," in lines eleven and twelve of Section 2 of the printed bill, and insert in lieu thereof the words "common carriers."

Amendment adopted.

AMENDMENT No. 3.

Strike out the words "railroad or steamboat companies," in line sixteen of Section 2 of the printed bill, and insert in lieu thereof the words "common carriers."

Amendment adopted.

AMENDMENT No. 4.

Strike out the words "railroads or steamboat company," in lines seventeen and eighteen of Section 2 of the printed bill, and insert in lieu thereof the words "of said common carriers."

Amendment adopted.

AMENDMENT No. 5.

After the word "receipts," in line thirty-nine of Section 2 of the printed bill, insert the words "as a license fee for doing business in this State."

Amendment adopted.

AMENDMENT No. 6.

Strike out the words "required tax thereon," in line forty-three of Section 2 of the printed bill, and insert in lieu thereof the words "license required by this Act."

Amendment adopted.

AMENDMENT No. 7.

Strike out the words "railroad companies or steamboats," in line eight of Section 1 of the printed bill, and insert in lieu thereof the words "common carriers."

Amendment adopted.

AMENDMENT No. 8.

After the word "State," in line nine of Section 17, printed bill, insert the words "upon their own or leased lines."

Amendment adopted.

AMENDMENT No. 9.

Strike out from and including the word "in," in line twenty-seven of Section 2 of the printed bill, to and including the word "meridian," in line thirty-six of said Section 2 of the printed bill.

Amendment adopted.

AMENDMENT No. 10.

After the word "delayed," in line forty-five of Section 2 of the printed bill, insert the words "to be recovered by an action."

Amendment adopted.

AMENDMENT No. 11.

After the word "made," in line fifty-one of Section 2 of the printed bill, insert the following: "*provided*, that express companies whose statement shows receipts of less than fifty thousand dollars per annum shall be exempt from the license fee herein required."

Amendment adopted.

Assembly Bill No. 595 ordered to print, engrossment, and third reading.

BILLS TRANSPOSED ON FILE.

Mr. Anderson of Solano (by consent of Mr. Anderson of Santa Clara) moved that Senate Bill No. 215 be returned to its former place on the Senate Special File, and that Assembly Bill No. 645 (229 on file) be placed in space so made vacant.

So ordered.

THIRD-READING FILE.

Assembly Bill No. 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to winding up the affairs of an insolvent banking corporation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cowan, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Higby, Hourigan, Hubbard, Irish, Irving, James, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, Wright, and Mr. Speaker—57

NOES—Messrs. Collins, Hanen, Knight, and Macbeth—4.

Title read and approved.

Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen. and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Gulfoyle, Haley, Hanen, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Laird, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Mince, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Walker, Williams, Wright, and Mr Speaker—61.

NOES—None.

Title read and approved.

BILLS TRANSPOSED ON FILE.

Mr. James moved that Assembly Bill No. 779 (Committee Substitute for Assembly Bill No. 215) and Assembly Bill No. 582 be retained on the Special File.

So ordered.

Mr. Sutro moved that Assembly Constitutional Amendment No. 20 (186 on file) be placed on the Special File, and that Assembly Bill No. 77 (212 on file) be placed in the space so made vacant.

So ordered.

Mr. Knight moved that Assembly Bill No. 758 (447 on file) and Assembly Bill No. 664 (152 on file) be transposed as to places on file.

So ordered.

BILI CALLED UP FOR AMENDMENT.

Mr. Knight moved that Assembly Bill No. 758 be taken up for consideration for the purpose of amendment.

So ordered.

Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Read second time.

Mr. Knight moved to amend as follows:

Amend by striking out of Section 1 the lines twenty-four to twenty-eight, both inclusive, on page two of printed bill.

Also Strike out the words "ration at the time of their filing," in line twenty-nine, on page two of printed bill.

Amendments adopted.

Assembly Bill No. 758 ordered to print, engrossment, and third reading.

Mr. Sheridan moved to reconsider the vote whereby the Assembly refused to adopt Assembly Constitutional Amendment No. 12, and further moved to continue the same until Friday.

So ordered.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—61.

NOES—None

Title read and approved.

Assembly Bill No. 740—An Act to regulate the practice of architecture.

Read third time.

The roll was called, and the bill passed by the following vote·

AYES—Messrs. Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Collins, Cowan, Cromwell, Fisk, Foster, Gans, Greer, Guilfoyle, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, Kelley, Knight, Knowland, Levinson, McNeil, Melick, Merritt, Milice, Miller, Ralston, Savage, Schilig, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—42

NOES—Messrs. Anderson of Solano, Atherton, Chiles, Dunlap, Durvea, Feliz, Haley, Hanen, Higby, Irish, Kincaid, Laird, Macbeth, Mattos, Radcliff, Roberts, Rutherford, Sheridan, Simpson, and Stewart of Amador—20.

Title read and approved.

At nine o'clock and fifty-five minutes P. M., Mr. Fisk moved that the time for adjournment be extended one half hour.

So ordered.

SECOND READING OF BILL.

Assembly Bill No. 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments.

Read second time.

Mr. Foster moved that the Assembly resolve itself into a Committee of the Whole, with Speaker pro tem. Ralston in the chair, for the purpose of considering Assembly Bill No. 662.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 662 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments—and do now report the same back, with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments.

Mr. Foster moved to amend as follows:

Amend by striking out of Section 2, line two, the words "July fifteenth, nineteen hundred and one," and inserting the words "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 662 ordered to print, engrossment, and third reading.

Mr. Stewart moved that Assembly Bill No. 801 (156 on file) be placed at the foot of third-reading file, and that Assembly Bill No. 832 (473 on file) be placed in space so made vacant.

So ordered.

Assembly Bill No. 823—An Act to establish a uniform system of township governments, and providing for submitting the same to a vote of the people of the several counties of this State.

Read second time, ordered to engrossment and third reading.

THIRD READING OF BILL.

Assembly Bill No. 77—An Act to amend Sections 1136 and 1137 of the Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, Melick, Merritt, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—58

NOES—Mr. Stewart of San Diego—1.

Title read and approved.

Mr. Higby moved that Assembly Bill No. 625 be made special order for to-morrow at eleven o'clock A. M.

So ordered.

Mr. Johnson (by consent of Mr. McNeil) moved that Senate Bill No. 557 be placed in space 187 on the Special Urgency File.

So ordered.

Senate Bill No. 557—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments, held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Read second time, and ordered to third reading.

Mr. Johnson moved that Senate Bill No. 557 be restored to its original place on the Senate file.

So ordered.

Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 56 thereof, relating to Justices of the Peace in townships.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 310—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Read second time.

Mr. Carter moved to amend Assembly Bill No. 310 as follows:

After paragraph five of Section 1 of the printed bill, add a new paragraph, to be numbered "6," to read as follows:

"6. An agreement authorizing or employing an agent or broker to purchase or sell real estate for compensation or a commission; *provided*, that if, under an oral agreement or authority, a sale or purchase of real estate has been actually made, such oral agreement or authority shall be valid and may be established by parol testimony."

Amendment adopted.

Assembly Bill No. 310 ordered to print, engrossment, and third reading.

At ten o'clock and twenty-five minutes P. M., the Speaker resumed the chair.

THIRD READING OF BILL.

Assembly Bill No. 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said code, relative to the plugging of water-producing wells, or holes, drilled or otherwise, made in territory producing oil or similar carbonic substances.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, McNeil, Melick, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—49.

NOES—Mr. Collins—1.

Title read and approved.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 6, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Guilfoyle, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, March 4, 1901, was read, corrected, and approved.

PETITIONS.

By Mr. Mattos:

PLEASANTON, CAL., February 4, 1901.

To the HON. J. G. MATTOS, JR, *Assemblyman representing Assembly District No 46*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust We, therefore, your constituents, request that you vote against this bill, to the end it may not become a law

H. N. Bomer, John G Ulsteen, R. G. Leeman, W. J. Dakin, A. W. Ralph, A. E. Weed, Rev. R W. Reynolds (of Pleasanton, Cal.).

Also: F. H. McCollough, J H. Durham, G. M. Edler, H L. Chase, George R Frick, Wm. G Owens, H. D. Ford, S. M. McCollough, A. W. Sanford (of Irvington, Cal.)

Also: Howard Overacker, Mrs Howard Overacker, Chas. Gale, Mrs. Plumber, W. Chalmers Gunn, Lena Miller, John Fair, James B. Fair, Margaret I. Martin, R B. Ralph, and twenty-one others (of Centerville, Cal).

By Mr. Milice:

ARLINGTON STATION, RIVERSIDE, CAL , March 2, 1901.

To HON. A. S. MILICE, *Assembly Chamber, Sacramento, Cal.*

DEAR SIR: We wish to call your especial attention to Senate Bill No 410, introduced by Senator Nelson of San Francisco, which proposes, in substance, the general issuing of liquor licenses throughout the State of California "at the rate of six dollars per annum, payable quarterly."

We regard this as a most unwise and vicious piece of legislation, practically without redeeming features; and, as good citizens, desirous of the essential welfare of the State, we bespeak for this bill your earnest and persistent opposition.

Yours, most respectfully,

J Linson, C H. Ormsby, E S Willis, T J. Reynolds, A C. Turner, A. D Nelson, M. H. Utley, J. N. Lilley, Geo. W. Johnson, C. F. Foster, and twenty-four others (of Arlington, Cal.).

At nine o'clock and forty-five minutes A. M., Speaker pro tem. Ralston was called to the chair.

REPORTS OF STANDING COMMITTEES.

ON COUNTIES AND COUNTY BOUNDARIES

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901

MR. SPEAKER: Your Committee on Counties and County Boundaries, to whom was referred Senate Bill No 129—An Act to permanently locate the boundary line between the counties of Shasta and Plumas—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Senate Bill No. 131—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Also: Senate Bill No. 132—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Have had the same under consideration, and respectfully report the same back without recommendation.

CROMWELL, Chairman

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly enrolled:

Assembly Bill No. 556—An Act relating to contracts between persons, companies, associations, or corporations furnishing water for irrigation and the consumers of such water

And was presented to the Governor this day at two o'clock and ten minutes P M.

FRANKLIN, Chairman.

ON MUNICIPAL CORPORATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your Committee on Municipal Corporations, to whom was referred Assembly Bill No. 872—An Act to amend Section 3 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 or the county, and fixing the compensation to be allowed for such county officers for the services so rendered to such municipal corporation," approved March 27, 1895.

Also: Senate Concurrent Resolution No. 14—Approving amendments to 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 5th day of February, 1901.

Also: Assembly Bill No 866—An Act to prevent the sale of drugs, chemicals, or pharmaceutical preparations under one roof, known as department stores, in municipal corporations of the first class.

Also: Assembly Bill No. 841—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 9, 1897

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

SAVAGE, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made—report the same back by a majority vote, and recommend that it do pass.

Also: Senate Bill No. 451—An Act for the payment of fees due to trial jurors who have served as such in the Superior Court of the City and County of San Francisco under the Act of 1895—report the same back with the recommendation that it do pass.

Also: Senate Bill No 513—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written —report the same back without recommendation.

JOHNSON, Chairman.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendments to Senate Bill No. 407—An Act to amend an Act entitled "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 4, 1881," and certain Acts amendatory thereof, approved March 19, 1889, and March 31, 1891, approved March 31, 1897—and in accordance therewith, appoint Senators Taylor, Leavitt, and Smith of Kern as a committee of conference, to meet a like committee already appointed by your honorable body, to consider said Assembly amendments.

Also: Passed the following:

Senate Bill No. 77—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

Senate Bill No. 288—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Senate Bill No. 378—An Act fixing and defining a miner's inch of water.

Senate Bill No. 477—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson.

Senate Bill No 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Adopted Senate Concurrent Resolution No. 18—Relative to consideration of Senate and Assembly Bills on March 8, 1901.

F. J BRANDON, Secretary of Senate.
By F. C MICHAELIS, Assistant Secretary.

Senate Bill No. 77—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.

Read first time, and referred to Committee on Banks and Banking.

Senate Bill No. 288—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 378—An Act fixing and defining a miner's inch of water.

Read first time, and referred to Committee on Mines and Mining Interests.

Senate Bill No. 477—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read first time, and referred to Committee on County and Township Governments.

Senate Concurrent Resolution No. 18—Relative to setting aside a day for consideration of Assembly bills in the Senate and Senate bills in the Assembly.

Referred to Committee on Rules.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Joint Resolution No 14—Relative to the Calaveras Sequoia Grove.

Also: Passed Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Amended, and passed as amended, Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

Also: Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

F J BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Joint Resolution No. 14 and Assembly Bill No. 421 ordered to enrollment.

Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by striking out the word "immediately," in line one of Section 3, page one of printed bill, and inserting in lieu thereof the words "from and after January first, nineteen hundred and two."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Carter, Cavagnaro, Chandler, Chules, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray,

Reeber, Rutherford, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Wright—58.
NOES—None.

Assembly Bill No. 423 ordered to enrollment.

Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1.

Amend by inserting in Section 1, line six, after the words "of the county," and before the word "within," the words "or counties"

AMENDMENT No. 2.

Amend by inserting after the word "insured," in line twelve, printed bill, the following: "within one hundred feet, or by any risk other than a dwelling or private barn or outbuilding"

Mr. Broughton moved that the Assembly non-concur in Senate Amendment No. 1.

The roll was called, and the Assembly non-concurred in Senate Amendment No. 1 by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—63
NOES—Messrs. Barnes, Berry, Franklin, Hasson, John, Levinson, and Stewart of San Diego—7.

Mr. Broughton moved that the Assembly concur in Senate Amendment No. 2 to Assembly Bill No. 515.

The roll was called, and the Assembly concurred in Senate Amendment No. 2 by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Collins, Cromwell, Evatt, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Johnson, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Radcliff, Ralston, Reeber, Roberts, Rutherford, Schilig, Sheridan, Stewart of Amador, Treadwell, Walker, and Wright—49.
NOES—None.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 5, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Read first time, and referred to Committee on Public Works.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1901

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 111—An Act to add a new section to the Penal Code, and to Title IX, Chapter II thereof, to be known as Section 273, making it unlawful in certain cases to employ children under fourteen years of age

Also: Senate Bill No. 119—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Also: Senate Bill No. 234—An Act to amend Section 871 of the Code of Civil Procedure, relating to judgments by default in Justices' Courts.

Also: Senate Bill No. 385—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Also: Senate Bill No. 398—An Act to pay the claim of Louise Rienzi against the State of California, and making an appropriation therefor

Also: Senate Bill No. 402—An Act making an appropriation to pay for an air-compressor for the State prison at Folsom.

Also: Senate Bill No. 454—An Act making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor of W. A. Boyd and H. W. Randal, for the arrest of Josef E. Blanther, for murder.

Also: Senate Bill No. 461—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage.

Also: Senate Bill No. 469—An Act to amend Section 110 of the Code of Civil Procedure of the State of California.

Also: Senate Bill No. 482—An Act to add a new section to the Political Code, to be numbered 3901, relating to the commencement of actions to determine the legality of assessments and proceedings in pursuance whereof real estate has been sold to the State for delinquent taxes

Also: Senate Bill No 527—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, relating in the amendment to the contingent funds of the State prisons

Also: Senate Bill No. 640—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2757, relating to fire insurance companies.

Also: Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 111—An Act to add a new section to the Penal Code, and to Title IX, Chapter II thereof, to be known as Section 273, making it unlawful in certain cases to employ children under fourteen years of age.

Read first time, and referred to Committee on Public Morals.

Senate Bill No. 119—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 234—An Act to amend Section 871 of the Code of Civil Procedure, relating to judgments by default in Justices' Courts.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 385—An Act making an appropriation of $15,000, to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 398—An Act to pay the claim of Louise Rienzi against the State of California, and making an appropriation therefor.

Read first time, and placed on file in place of Assembly Bill No. 526, they being identical.

Senate Bill No. 402—An Act making an appropriation to pay for an air-compressor for the State prison at Folsom.

Read first time, and placed on file without reference to committee.

Senate Bill No. 454—An Act making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor of W. A. Boyd and W. H. Randal, for the arrest of Josef E. Blanther, for murder.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 461—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage.

Read first time, and placed on file without reference to committee.

Senate Bill No. 469—An Act to amend Section 110 of the Code of Civil Procedure of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 482—An Act to add a new section to the Political Code, to be numbered 3901, relating to the commencement of actions to determine the legality of assessments and proceedings in pursuance whereof real estate has been sold to the State for delinquent taxes.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 527—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, relating in the amendment to the contingent funds of the State prisons.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 640—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2757, relating to fire insurance companies.

Read first time, and placed on file without reference to committee.

Assembly Bill No. 320 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 358—An Act making an appropriation for a State prize or trophy to be competed for at the Third National Bundes Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901.

Also: Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto

Also: Senate Bill No 290—An Act making an appropriation to pay the claim of A I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of state school lands

Also: Senate Bill No 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also. Assembly Bill No. 602—An Act to encourage the destruction of coyotes; to provide a bounty on coyote scalps, and to make an appropriation therefor.

Also: Senate Bill No. 532—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass

Also: Assembly Bill No 64—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same

Also: Senate Bill No. 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor.

Also: Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California.

Also: Assembly Bill No. 470—An Act to appropriate the sum of $1,856.78 to pay the claim of Howard M Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

Also: Assembly Bill No 642—An Act appropriating $5.000 to pay the claim of Addie McGinness.

Have had the same under consideration, and respectfully report the same back without recommendation.

Also: Assembly Bill No. 788—An Act appropriating money for the payment of claims against the State arising in the County of San Bernardino, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891

Also: Assembly Bill No. 772—An Act appropriating money for the payment of claims against the State arising in the County of San Mateo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and prescribing the duties of the State Board of Examiners in relation to payment of such claims.

Also: Assembly Bill No 655—An Act appropriating money for the payment of claims against the State arising in the counties of El Dorado and Amador, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Also: Assembly Bill No. 600—An Act appropriating money for the payment of claims against the State arising in the County of San Luis Obispo, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Also: Assembly Bill No. 492—An Act appropriating money for the payment of claims against the State arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Also. Assembly Bill No. 398—An Act appropriating money for the payment of claims against the State arising in the counties of Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, and Trinity, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891

Have had the same under consideration, and respectfully report the same back, and recommend that the authors be permitted to withdraw the same

FISK, Chairman.

Assembly Bills Nos. 788, 772, 655, 600, 492, and 398 withdrawn by authors.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 514—An Act appropriating money for the payment of claims against the State arising in the County of Tehama, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and prescribing the duties of the State Board of Examiners in relation to payment of such claims—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

FISK, Chairman.

Assembly Bill No. 514 withdrawn by author.

ON COMMERCE AND NAVIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901

MR SPEAKER: Your Committee on Commerce and Navigation, to whom was referred Assembly Bill No 604—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, 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—have had the same under consideration, and respectfully report the same back without recommendation

Also: Senate Bill No. 229—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in 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 Boards 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.

BRADY, Chairman

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No. 876—An Act providing 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, and defining the purposes of said fund, and the duties of the several officers in collecting and disbursing the same.

Also: Senate Constitutional Amendment No 20—A resolution proposing to the people of the State of California an amendment to the Constitution by adding a new section to Article IV thereof, relating to establishing State highways, and providing for the construction and maintenance thereof

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass

MERRITT, Chairman.

ON PUBLIC BUILDINGS AND GROUNDS.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your Committee on Public Buildings and Grounds, to whom was referred Assembly Bill No 115—An Act to amend an Act entitled "An Act to regulate contracts on behalf of the State in relation to erections and buildings," approved March 23, 1876—have had the same under consideration, and respectfully report the same back without recommendation.

RUTHERFORD, Chairman.

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your Committee on Mileage, to whom was referred the following from the sub-committee of the Committee on Ways and Means:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: Your sub-committee on Ways and Means beg leave to report that it has visited the Custom House at Monterey, pursuant to the appointment and direction of the chairman of said committee, in accordance with resolution heretofore adopted, and that there is now due to W. W. Greer, for mileage, the sum of $45

We therefore recommend the adoption of the following.

Resolved, That the State Controller be and he is hereby directed to draw his warrant in favor of W. W. Greer in the sum of $45, and the State Controller is hereby directed to pay the same out of the fund for the contingent expenses of the Assembly.

W. W. GREER.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

EVATT, Chairman.

Report and resolution adopted.

BILL TAKEN UP OUT OF ORDER.

Mr. Johnson moved that the rules be suspended, and that Senate Bill No. 637 be taken up for consideration out of order.

So ordered.

Senate Bill No. 637—An Act to amend Section 1240 of the Code of Civil Procedure of the State of California, relating to the taking of property under the right of eminent domain, and authorizing proceedings therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Foster, Gans, Gullioyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Knight, Laird, Levinson, Mattos, McNeil, McWade, Milice, Miller, Ralston, Reeber, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—48.

NOES—None.

Title read and approved.

At eleven o'clock and eight minutes A. M., the Speaker resumed the chair.

Assembly Bill No. 625—An Act to amend Sections 626, 627, and 631 of the Penal Code of the State of California, to add seventeen new sections to said code, to be numbered 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 626*j*, 626*k*, 626*l*, 626*m*, 627*a*, 627*b*, 631*a*, and 631*b*, all relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Cowan, Cromwell, Dunlap, Duryea, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, James, Johnson, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McLoughlin, McNeil, Milice, Miller, Radcliff, Ralston, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—Messrs. Brown of San Francisco, Chiles, Collins, Evatt, Feliz, Franklin, Hourigan, Hubbard, and Schlesinger—9.

Title read and approved.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read second time.

The following amendment was submitted by the committee:

AMENDMENT No. 1.

Amend by striking out all of Section 1 of the printed bill and inserting the following:

SECTION 1 The State is hereby divided into forty senatorial districts, respectively numbered and constituted as follows:

1. The counties of Del Norte, Humboldt, Trinity, and Tehama shall constitute the first senatorial district.

2 The counties of Modoc, Lassen, Siskiyou, and Shasta shall constitute the second senatorial district.

3. The counties of Plumas, Sierra, Nevada, and Placer shall constitute the third senatorial district

4 The counties of Mendocino, Glenn, Colusa, and Lake shall constitute the fourth senatorial district

5. The counties of Napa and Solano shall constitute the fifth senatorial district

6. The counties of Butte, Yuba, Sutter, and Yolo shall constitute the sixth senatorial district

7. The county of Sacramento shall constitute the seventh senatorial district.

8. The county of Sonoma shall constitute the eighth senatorial district

9. The counties of Marin and Contra Costa shall constitute the ninth senatorial district

10 The counties of El Dorado, Amador, Calaveras, Alpine, and Mono shall constitute the tenth senatorial district

11. The county of San Joaquin shall constitute the eleventh senatorial district

12 The counties of Tuolumne, Mariposa, Madera, Stanislaus, and Merced shall constitute the twelfth senatorial district

13 All that portion of the county of Alameda comprising the townships of Washington, Murray, and Eden shall constitute the thirteenth senatorial district.

14. All that portion of the county of Alameda comprising the township of Alameda, all that portion of Brooklyn township lying outside of the city of Oakland, and all that portion of Brooklyn township lying within the city of Oakland lying south of East Fourteenth street shall constitute the fourteenth senatorial district.

15 All that portion of Alameda county comprising all that portion of Brooklyn township not contained in the fourteenth senatorial district as set forth in this act, and all that further portion of the county of Alameda bounded as follows: Commencing at a point on the western boundary of Brooklyn township at a point where said boundary line is intersected by Thirteenth street, thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline, Adeline to Parker, Parker to Grant, Grant to the northerly boundary line of the city of Berkeley; thence easterly along said northerly boundary line of the city of Berkeley to the boundary line of the county of Alameda; thence easterly and southerly along said boundary line of the county of Alameda to a point where intersected by the westerly boundary line of Brooklyn township, thence southerly and westerly along said boundary line of Brooklyn township to the point of beginning, shall constitute the fifteenth senatorial district.

16. All that portion of the county of Alameda bounded as follows: Commencing at a point on the westerly boundary line of Brooklyn township where intersected by Thirteenth street extended; thence along the center of the following streets· Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline, Adeline to Parker, Parker to Grant, Grant to northerly boundary line of the city of Berkeley; thence easterly along said northerly boundary line of the city of Berkeley to the intersection of the northerly boundary line of the county of Alameda; thence northerly and westerly along said northerly boundary line of Alameda county to the intersection of the westerly boundary line of the county of Alameda; thence southerly along said westerly boundary line of Alameda county to the southerly boundary line of the city of Oakland, in Oakland creek; thence easterly along the southerly boundary line of the city of Oakland, in said creek, to the point of intersection of the boundary line between the sixth and seventh wards of the city of Oakland; thence northerly along said line to the point of beginning shall constitute the sixteenth senatorial district.

17. All that portion of the city and county of San Francisco comprised within the boundaries of the twenty-eighth and twenty-ninth assembly districts, as fixed and described in this act, shall constitute the seventeenth senatorial district

18 All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-first and thirty-sixth assembly districts, as fixed and described in this act, shall constitute the eighteenth senatorial district.

19. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-second and thirty-fifth assembly districts, as fixed and described in this act, shall constitute the nineteenth senatorial district

20. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-third and thirty-fourth assembly districts, as fixed and described in this act, shall constitute the twentieth senatorial district.

21. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-seventh and thirty-eighth assembly districts, as fixed and described in this act, shall constitute the twenty-first senatorial district

22. All that portion of the city and county of San Francisco comprised within the boundaries of the thirty-ninth and fortieth assembly districts, as fixed and described in this act, shall constitute the twenty-second senatorial district.

23. All that portion of the city and county of San Francisco comprised within the boundaries of the thirtieth and forty-second assembly districts, as fixed and described in this act, shall constitute the twenty-third senatorial district.

24. All that portion of the city and county of San Francisco comprised within the boundaries of the forty-third and forty-fourth assembly districts, as fixed and described in this act, shall constitute the twenty-fourth senatorial district.

25. All that portion of the city and county of San Francisco comprised within the boundaries of the forty-first and forty-fifth assembly districts, as fixed and described in this act, shall constitute the twenty-fifth senatorial district.

26. The county of Fresno shall constitute the twenty-sixth senatorial district.

27. All that portion of the county of Santa Clara embraced in the precincts of Agnews, Alviso, Berryessa, Cupertino, Hester, Jefferson, Mountain View number one, Mountain View number two, Mayfield number one, Mayfield number two, Milpitas, Orchard, Palo Alto, Saratoga, University, and the first, second, and fourth wards of the city of San José shall constitute the twenty-seventh senatorial district.

28. All that portion of the county of Santa Clara not included in the twenty-seventh district shall constitute the twenty-eighth senatorial district

29. The counties of San Mateo and Santa Cruz shall constitute the twenty-ninth senatorial district

30. The counties of San Bernardino and Inyo shall constitute the thirtieth senatorial district.

31. The counties of Monterey, San Benito, and San Luis Obispo shall constitute the thirty-first senatorial district

32 The counties of Kern, Tulare, and Kings shall constitute the thirty-second senatorial district.

33. The counties of Santa Barbara and Ventura shall constitute the thirty-third senatorial district.

34. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Catalina, San Pedro numbers one, two, and three; Wilmington, Compton numbers one and two; Florence, Redondo City, Wiseburn, Gardena, Hyde Park, Ballona, Santa Monica city numbers one, two, and three; San Vicente, National Military Home numbers one, two, three, four, and five, Monte Vista, Cahuenga, and Los Angeles city precincts numbered seventy, seventy-one, seventy-two *a*, seventy-two *b*, seventy-three *a*, seventy-three *b*, seventy-four, seventy-five, seventy-six, seventy-seven; Calabasas, Lankershim, Chatsworth, San Fernando, Acton, Newhall, La Liebre, Del Sur, Lancaster, Palmdale, Llano, La Cañada, Burbank, and Glendale shall constitute the thirty-fourth senatorial district

35. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit. Pomona numbers one, two, three, four, and five, Claremont, Lordsburg, Spadra, Glendora, Azusa, Azusa City, Rowland, Covina, El Monte, Monrovia, Duarte, Rivera, Los Nietos, Whittier, East Whittier, North Pasadena numbers one and two, Lamanda, Sierra Madre, San Gabriel, Alhambra, Fruitland, Downey numbers one and two, Norwalk, Artesia, Clearwater, Cerritos, Long Beach

city numbers one and two, and Terminal shall constitute the thirty-fifth senatorial district.

36. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city number fifty-seven *a*, fifty-seven *b*, fifty-eight *a*, fifty eight *b*, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four *a*, sixty-four *b*, sixty-five, sixty-six, sixty-seven, sixty-eight, one, two, three *a* three *b*, four, five, six, Garvanza, Pasadena numbers one, two, three, four, five, six, seven, and eight, and South Pasadena shall constitute the thirty-six senatorial district

37. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, sixty nine, twenty-eight, twenty-nine, thirty, thirty-three, thirty-four *a*, and thirty-four *b* shall constitute the thirty-seventh senatorial district

38 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit Los Angeles city numbers thirty-five *a*, thirty-five *b*, thirty-six, thirty-two, thirty-one, thirty-seven, thirty-eight *a*, thirty-eight *b*, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four *a*, forty-four *b*, forty-five *a*, forty-five *b*, forty-six, forty-seven, forty-eight *a*, forty-eight *b*, forty-nine *a*, forty-nine *b*, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, and fifty-six shall constitute the thirty-eighth senatorial district.

39 The counties of Orange and Riverside shall constitute the thirty-ninth senatorial district

40. The county of San Diego shall constitute the fortieth senatorial district.

Amendment adopted.

Mr. James submitted an amendment.

Pending consideration of said amendment, Mr. Carter, at eleven o'clock and fifty-five minutes A. M., moved that the time of recess be extended until the subject under consideration be disposed of.

Motion lost.

RECESS.

Pending discussion of Mr. James' amendment, the hour of twelve o'clock M. having arrived, the Speaker declared recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR. SPEAKER: Your Committee on Rules and Regulations, to whom was referred Senate Concurrent Resolution No 18, report the same back, and recommend the same be amended by adding the following: "*provided, however*, that all Senate bills now on the file in the Assembly shall be considered at the morning and afternoon sessions of the Assembly only," and that the same be adopted as amended.

Report adopted.

SENATE CONCURRENT RESOLUTION No. 18.

Resolved by the Senate, the Assembly concurring, That Friday, March 8, 1901, be set aside for the consideration of Assembly bills now in the Senate and Senate bills now in the Assembly, *provided, however*, that if either body conclude the file in the other house before the time of adjournment is reached, such body may proceed to consider its own bills.

Senate Concurrent Resolution No. 18, as amended by Committee on Rules and Regulations, read and adopted.

SENATE SPECIAL FILE.

Mr. Stewart moved that Senate Bill No. 547 (114 on file) and Senate Bill No. 235 (68 on file) be transposed on file.

So ordered.

Senate Bill No. 547—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Before the figures "65," in line five, printed bill, insert the abbreviation "Sec."

Amendment adopted.

AMENDMENT No. 2.

After line eighty-five, page three, printed bill, insert the following: "17. In counties of this class there shall be but one Horticultural Commissioner."

Amendment adopted.

Senate Bill No. 547 ordered to print and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 711—An Act entitled "An Act to amend 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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts

Assembly Bill No. 416—An Act to create and regulate public warehouses.

Assembly Bill No 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets

Assembly Bill No. 707—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued.

Assembly Bill No. 823—An Act to establish a uniform system of township governments, and providing for submitting the same to a vote of the people of the several counties in this State.

Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 56 thereof, relating to justices of the peace in townships

FRANKLIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Mr. Kelley moved that Senate Bill No. 470 be taken up out of order for consideration.

So ordered.

Senate Bill No. 470—An Act to establish Police Courts in cities of the third class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

Read second time, and ordered to third reading.

Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Read third time.

Mr. Guilfoyle moved that a select committee of one be appointed to amend Senate Bill No. 434 as follows:

Strike out all after the word "therein," in line nine of printed bill, down to and including the word "gases,' in line thirteen.

Also: Strike out all after the word "cause," in line fourteen of printed bill, down to and including the word "cause," in line twenty.

Motion carried, and so ordered.

Mr. Guilfoyle was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1899—with instructions to amend, now reports that the instructions of the Assembly have been carried out

GUILFOYLE, Committee.

Report and amendments adopted.

Senate Bill No. 434 ordered to print and on file for passage.

Senate Bill No. 473—An Act adding a new section to the Political Code of California, to be numbered Section 3248, relating to the branding and labeling of convict-made goods.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Brady, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 365—An Act for the relief of J. E. Atkinson, for personal injuries received by him while in the service of the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—52

NOES—None.

Title read and approved.

Mr. Hasson moved that Senate Bill No. 13 (91 on file) and Senate Bill No. 12 (75 on file) be transposed on file.

So ordered.

Senate Bill No. 13—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read second time, and ordered to third reading.

Senate Bill No. 56—An Act to amend Section 530 of "An Act to establish a Political Code, relative to the office of Superintendent of State Printing, providing for the appointment of such officer by the Governor, and repealing an Act providing for the election of Superintendent of State Printing," approved March 10, 1891.

Read second time, and ordered to third reading.

Senate Bill No. 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

Read third time.

Mr. Mattos moved that a select committee of one be appointed to amend Senate Bill No. 164 as follows:

Strike out "35,000," and insert "200,000."

Motion lost.

Mr. Sutro moved that a select committee of one be appointed to amend Senate Bill No. 164 as follows:

After the first word "of," in line sixteen of Section 1, strike out the words "three thousand," and insert the words "eighteen hundred."

Motion lost.

Mr. Johnson moved that a select committee of one be appointed with special instructions to amend as follows:

Amend by inserting after the word "city," in line four of Section 2 of printed bill, the words "having a population of more than thirty-five thousand inhabitants"

Motion carried, and so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee

Report and amendment adopted.

Senate Bill No. 164 ordered to print and on file for passage.

SENATE CONSTITUTIONAL AMENDMENT No. 3.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Article XIII by adding a new section thereto, to be known as Section 1¾, relating to the exemption from taxation of all bonds issued by the State of California, or by any county, city, city and county, town, municipality, municipal corporation of any sort, or district (including school, reclamation, and irrigation districts) within said State.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its regular session, commencing on the 7th day of January, 1901, two thirds of all members elected to each house concurring, hereby proposes that Article XIII of the Constitution of said State be amended by adding thereto a new section, to be known as Section 1¾, which shall read as follows, to wit:

Section 1¾. All bonds hereafter issued by the State of California, or by any county, city and county, municipal corporation, or district (including school, reclamation, and irrigation districts) within said State, shall be free and exempt from taxation.

Constitutional amendment read.

Mr. Myers moved to amend as follows:

Amend by striking out Section 1¾ of Senate Constitutional Amendment No. 3, and inserting the following:

"Section 1¾. All bonds hereafter issued by the State of California, or by any county, city and county, municipal corporation, or district (including school, reclamation, and irrigation districts) within said State, bearing a rate of interest not to exceed three per cent per annum, and for which the county, city and county, municipal corporation, or district issuing the same shall have received in United States coin their full face value, shall be free from taxation."

Amendment lost.

The question being on the adoption of Senate Constitutional Amendment No. 3.

The roll was called, and Senate Constitutional Amendment No. 3 adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Gulfoyle, Hanen, Hasson, Henry,

Higby, Hourigan, Hubbard, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Miller, Radcliff, Ralston, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—56.

NOES—Messrs Carter, Irish, John, Laird, Levinson, McLoughlin, and Myers—7.

SENATE CONSTITUTIONAL AMENDMENT No. 6.

A resolution to propose to the people of the State of California an amendment to Section 8, Article XI of the Constitution of the State of California, relating to charters

The Legislature of the State of California, at its regular session, commencing on the 7th day of January, 1901, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the qualified electors of the State of California the following amendment to Section 8, Article XI of the Constitution:

Section 8 of Article XI of the Constitution is hereby amended so as to read as follows:

Section 8 Any city containing a population of more than three thousand five hundred inhabitants may frame a charter for its own government, consistent with and subject to the constitution and laws of this State, by causing a board of fifteen freeholders, who shall have been for at least five years qualified electors thereof, to be elected by the qualified voters of said city at any general or special election, whose duty it shall be, within ninety days after such election, to prepare and propose a charter for such city, which shall be signed in duplicate by the members of such board, or a majority of them, and returned, one copy to the Mayor thereof, or other chief executive officer of such city, and the other to the Recorder of the county. Such proposed charter shall then be published in two daily newspapers of general circulation in such city, for at least twenty days, and the first publication shall be made within twenty days after the completion of the charter; *provided*, that in cities containing a population of not more than ten thousand inhabitants, such proposed charter shall be published in one such daily newspaper; and within not less than thirty days after such publication it shall be submitted to the qualified electors of said city at a general or special election, and if a majority of such qualified electors voting thereon shall ratify the same, it shall thereafter be submitted to the Legislature for its approval or rejection as a whole, without power of alteration or amendment Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, it shall become the charter of such city, or, if such city be consolidated with a county, then of such city and county, and shall become the organic law thereof, and supersede any existing charter and all amendments thereof, and all laws inconsistent with such charter. A copy of such charter, certified by the Mayor, or chief executive officer, and authenticated by the seal of such city, setting forth the submission of such charter to the electors, and its ratification by them, shall, after the approval of such charter by the Legislature, be made in duplicate, and deposited, one in the office of the Secretary of State, and the other, after being recorded in said Recorder's office, shall be deposited in the archives of the city, and thereafter all courts shall take judicial notice of said charter The charter, so ratified, may be amended at intervals of not less than two years by proposals therefor, submitted by the legislative authority of the city to the qualified electors thereof at a general or special election, held at least forty days after the publication of such proposals for twenty days in a daily newspaper of general circulation in such city, and ratified by a majority of the electors voting thereon, and approved by the Legislature as herein provided for the approval of the charter Whenever fifteen per cent of the qualified voters of the city shall petition the legislative authority thereof to submit any proposed amendment or amendments to said charter to the qualified voters thereof for approval, the legislative authority thereof must submit the same In submitting any such charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the voters, and may be voted on separately without prejudice to others.

Constitutional amendment read.

The roll was called, and Senate Constitutional Amendment No. 6 adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Gulfoyle, Haley, Hanen, Hasson, Irish, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Williams, Wright, and Mr. Speaker—57.

NOES—Mr. Treadwell—1.

PETITION—(OUT OF ORDER).

Mr. Mattos presented the following petition:

To the HON. JOHN G. MATTOS, JR., *Assemblyman representing Assembly District No 46:*

DEAR SIR: A bill was presented in the Legislature at Sacramento by Senator Nelson of San Francisco, on or about January 29, 1901, in relation to the collection of a license tax on

the business of selling liquors. The provisions of this bill are such (especially Sections 3 and 4) that if passed by the Legislature each city and county in the State will be handed over into the power of one man in each of these communities, viz: the tax collector. To pass such a measure, irrespective of the sentiments of these several communities on the question of license or no license, would be, we consider, both un-American and unjust. We, therefore, your constituents, request that you vote against this bill, to the end it may not become a law.

W. H. Chamberlain, Frank Trimingham, Charles Trimingham, Joe Rose, George Trimingham, John Trimingham, J. W. Peek (all of Sunol, California); G. H. Buttner, H. G McGill, M D, Henry Schmidt, C. H. Carter, M. N. Brown, H. Hasterson, W. H. Cooke, Geo. Jackson (all of Sunol Glen, California).

Read, and ordered printed in Journal.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 71—An Act to add a new section to the Penal Code of the State of California, to be known as Section 600½, relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor.

Read second time.

The following committee amendment was submitted:

After the word "telegraph," in line twelve of Section 1 of printed bill, insert the words "or telephone."

Amendment adopted.

Senate Bill No. 71 ordered to print and third reading.

Senate Bill No. 557—An Act authorizing and directing the satisfaction and discharge of any judgment or judgments held by the State of California against any person or persons arising from their having been bondsmen for any former officer of said State, upon the performance of certain conditions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster Gans, Gulfoyle, Haley, Hasson, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Macbeth, McNeil, Melick, Merritt, Radcliff, Ralston, Rutherford, Schillig, Schlesinger, Simpson, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr. Speaker—47.

NOES—Messrs. Feliz, Laird, and McLoughlin—3.

Title read and approved.

Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property.

Read second time, and ordered to third reading.

Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read second time.

Passed on file, pending amendment of Mr. Fisk.

BILL TAKEN UP OUT OF ORDER.

Mr. Ralston moved that Assembly Bill No. 873 be taken up out of order for consideration.

So ordered.

Assembly Bill No 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the Cali-

fornia Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park.

Read third time.

Mr. Ralston moved that a select committee of one be appointed to amend Assembly Bill No. 873 as follows:

Amend Section 1, line four, by inserting after the word "select" the word "such," and insert after the word "land," in said line four, of Section 1, "from that tract of land commonly known as the Big Basin, situate in Santa Cruz and San Mateo counties"

Also: Amend Section 6 to read:

"SEC 6. This Act shall go into effect immediately."

Motion carried, and so ordered.

Mr. Ralston was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

RALSTON, Committee.

Report and amendments adopted.

Assembly Bill No. 873 ordered to print and on file for passage.

RECONSIDERATION OF BILL.

Mr. Cowan moved that the notice of Mr. Pendleton for a reconsideration of the vote whereby on last legislative day Assembly Bill No. 640 was refused passage, be taken up for consideration.

So ordered.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hourigan, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, McNeil, McWade, Milice, Miller, Myers, Radcliff, Ralston, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—52.

NOES—None.

Mr. Cowan moved that further consideration of Assembly Bill No. 640 be made special order for Saturday, March 9, 1901.

So ordered.

SPECIAL ORDER POSTPONED.

Mr. Carter moved that further consideration of Assembly Bill No. 779 be postponed until Thursday, March 7, 1901.

So ordered.

SPECIAL ORDER.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

The question being on the following amendment submitted by Mr. James:

Amend committee's amendment to printed amended Senate Bill No. 447, by striking out subdivisions, or districts, numbers sixty-seven to seventy-five, inclusive, of Journal of March 4, pages fourteen and fifteen, and inserting in lieu thereof the following, to wit:

"67 All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hun-

dred and one, to wit: Alhambra, Claremont, Azusa, Covina, Azusa City, Duarte, East Whittier, El Monte, Glendora, Los Nietos, Lordsburg, Monrovia, Rivera, Rowland, San Gabriel, Spadra, Whittier City, Pomona numbers one, two, three, four, and five, shall constitute the sixty-seventh assembly district.

"68. All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Acton, Del Sur, Burbank, Garvanza, Glendale, La Cañada, La Liebre, Lamanda, Lancaster, Llano, Newhall, Palmdale, Sierra Madre, South Pasadena City North Pasadena numbers one and two, and Pasadena City numbers one, two, three, four, five, six, seven, and eight, shall constitute the sixty-eighth assembly district.

"69. All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Ballona, Cahuenga, Catalina, Calabasas, Chatsworth, Gardena, Hyde Park, Lankershim, Monte Vista, Redondo Beach City, San Fernando, San Vicente, Terminal, Wilmington, Wiseburn, National Military Home numbers one, two, three, four and five; San Pedro City numbers one, two, and three; Santa Monica City numbers one, two, and three, Los Angeles City numbers seventy-three *b* and seventy-seven, shall constitute the sixty-ninth assembly district.

"70 All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Artesia, Cerritos, Clearwater, Compton numbers one and two; Downey numbers one and two; Florence, Fruitland, Long Beach City numbers one and two, Norwalk, Los Angeles City numbers sixty-six, sixty-seven, sixty-eight, seventy-four, seventy-five, and seventy-six, shall constitute the seventieth assembly district.

"71 All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to-wit. Los Angeles City numbers one, two, three *a*, three *b*, four, five, six, fifty-seven *a*, fifty-seven *b*, fifty-eight *a*, fifty-eight *b*, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, sixty-four *a*, sixty-four *b*, and sixty-five, shall constitute the seventy-first assembly district.

"72 All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Los Angeles City numbers seven, eight, nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and sixty-nine, shall constitute the seventy-second assembly district.

"73. All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Los Angeles City precincts numbers twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four *a*, thirty-four *b*, thirty-five *a*, thirty-five *b*, thirty-six, thirty-seven, thirty-eight *a*, seventy, and seventy-one, shall constitute the seventy-third assembly district.

"74. All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Los Angeles City numbers thirty-eight *b*, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four *a*, forty-four *b*, forty-five *a*, forty-five *b*, forty-six, seventy-two *a*, seventy-two *b*, and seventy-three *a*, shall constitute the seventy-fourth assembly district.

"75. All that portion of the County of Los Angeles included in and comprising the following election precincts of said county as they existed January first, nineteen hundred and one, to wit: Los Angeles City numbers eighteen, nineteen, twenty, twenty-one, twenty-two, forty-seven, forty-eight *a*, forty-eight *b*, forty-nine *a*, forty-nine *b*, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, and fifty-six, shall constitute the seventy-fifth assembly district.'

Amendment lost.

Mr. Duryea submitted an amendment.

Pending consideration, Mr. Anderson of Solano moved that further consideration be made special order for to-morrow at eleven o'clock A. M.

So ordered.

BILLS RECALLED FROM ENGROSSMENT.

Mr. Macbeth moved that Assembly Bill No. 793 be recalled from engrossment out of order.

So ordered.

Mr. Anderson of Solano moved that Assembly Bill No. 109 be recalled from engrossment out of order, and that it be placed on the Special Order File immediately after Assembly Bill No. 793.

So ordered.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Evatt until twelve o'clock M. of Thursday, March 7, 1901.

UNFINISHED BUSINESS.

Assembly Bill No. 683—An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

The question being, "Shall the Assembly concur in the Senate amendments to Assembly Bill No. 683?"

AMENDMENT No. 1.

Amend Section 83 of the bill by striking from line two, page thirty-one, the word "ninety-nine," and inserting the word "eighty-nine."

AMENDMENT No. 2.

Amend Section 100, line thirteen, page thirty-six of the printed bill, by striking out the words "within the United States."

AMENDMENT No. 3.

Amend by striking out all of Section 196 of said bill, page eighty-one of printed bill.

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Broughton, Cavagnaro, Chandler, Collins, Cowan, Dunlap, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, James, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Milice, Miller, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Mr. Speaker—50.

NOES—Messrs. Brown of San Mateo, Carter, Chiles, Clarke, Cromwell, Duryea, Feliz, Hasson, Hubbard, Simpson, and Stewart of Amador—11.

Mr. Knowland moved that messages from the Governor be taken up for consideration.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 6, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 464, entitled "An Act to amend Section 623 of the Penal Code, relating to the mutilation and injury of books and other property deposited in any public library, gallery, museum, fair, or exhibit"; No 368, entitled "An Act making an appropriation to pay the claim of O O Webber for costs of suit in foreclosing delinquent purchasers of State school lands"; No. 264, entitled "An Act to amend the Penal Code of California by adding a new section thereto, to be numbered 209, relating to crimes and penalties"; and No. 559, entitled "An Act to add a new section to the Political Code of the State of California, relating to the preservation of public health"

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 6, 1901.

To the Assembly of the State of California

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No 80, entitled "An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles."

I am of the opinion that the amount herein appropriated is excessive, because $10,000 has already been appropriated for this specific purpose under the Act approved March 22, 1899 (Statutes 1899, p 174), which sum has not yet been expended.

I also disapprove of the present bill because by its terms the appropriation is made payable immediately.

HENRY T. GAGE,
Governor of the State of California.

Ordered to unfinished business.

RECESS.

At four o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker pro tem. Ralston in the chair.
Quorum present.

BILL CALLED UP FOR PURPOSE OF AMENDMENT.

Mr. Cowan asked and was granted unanimous consent to have Assembly Bill No. 456 taken up out of order for the purpose of amendment.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

Read third time.

Mr. Cowan moved that a select committee of one be appointed to amend Assembly Bill No. 456 as follows:

Strike out in the title all after words "An Act," and insert the following in the place of the language now used in the title: "to add a new section to the Political Code of the State of California, to be known as Section 4045, relating to the powers of Boards of Supervisors, City Councils, and Town Trustees, in their respective counties, cities, and towns, and to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business"

Also: Strike out lines one, two, and three, in Section 1, and insert the following: "SECTION 1 There is hereby added to the Political Code of the State of California a new section, to be known as Section 4045, which shall read as follows"

Also: Amend in line four of the bill, after the word "Supervisors," by inserting the following: "City Council and Town Trustees"

Also: In line nine, Section 1, insert after the word "business," the following: "all persons, occupations, and business, as provided by general laws and charters, and acts of incorporation of municipalities of this State; *provided, however*"

Also: Amend in line five of the bill, after the word "counties," by inserting the words "cities and towns"

Also: Amend by striking out of Section 1, all of line ten and all to and including the word "medicines," in line fifty-one, page three, printed bill

Also: Amend by striking out of Section 1 of the bill all after the word "State," in line fifty-eight, page three, printed bill, to and including the word "California," in line seventy one.

Motion carried, and so ordered.

Mr. Cowan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COWAN, Committee

Report and amendments adopted.

Assembly Bill No. 456 ordered to print, reëngrossment, and final action.

MEMBERS' URGENCY FILE.

Assembly Bill No. 379—An Act prescribing the conditions upon which corporations organized under the laws of any State or country, other than the State of California, may be permitted to transact a telephone business, other than an interstate telephone business, within the State of California, and prescribing a penalty for the violation of this Act.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result, Mr. Schlesinger moved a call of the House.

The roll was called.

Mr. Laird moved that further proceedings under call of the House be dispensed with.

Motion carried.

The absentees were called, and the bill refused passage by the following vote:

AYES—Messrs. Brown of San Francisco, Chiles, Fisk, Foster, Franklin, Gans, Haley, Irish, Irving, Johnson, Knowland, Levinson, Mattos, McLoughlin, Merritt, Miller, Ray, Roberts, Savage, Schillig, Schlesinger, and Treadwell—22.

NOES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Greer, Gulfoyle, Hasson, Henry, Higby, Hourigan, Hubbard, James, John, Kelley, Kincaid, Knight, Laird, Macbeth, McNeil, Melick, Milice, Radcliff, Ralston, Reeber, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, and Wright—47.

NOTICE OF RECONSIDERATION.

Mr. Brady gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 379 was refused final passage.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 793—An Act to amend the Political Code by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, concerning primary elections.

Assembly Bill No. 109—An Act to amend Sections 1186, 1187, and 1188 of the Political Code of the State of California, relating to political conventions, nominations, and political committees.

Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

FRANKLIN, Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California.

Read second time, ordered to engrossment and third reading, and made special order for Thursday, March 7, 1901.

Assembly Bill No. 705—An Act creating the office of Game Commissioner, and defining his duties.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor and secure an option or purchase therefor, and submit sketch plans and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes.

Read second time.

Mr. Laird moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 428.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 428 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor, and secure an option or purchase therefor, and submit sketch plans and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes—and do now report the same back, and recommend that the same do not pass.

RALSTON, Chairman

Report adopted.

Assembly Bill No. 428 ordered to engrossment and third reading.

Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Read second time, ordered to engrossment and third reading, and made special order for to-morrow.

Assembly Bill No. 773—An Act to change and permanently locate the boundary line between the counties of Del Norte and Siskiyou.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor.

Read second time.

Mr. Cowan moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Assembly Bill No. 694.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Assembly Bill No. 694 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended

RALSTON, Chairman.

Report adopted.

Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend title, line three, printed bill, by inserting after the second word "county" the words "and placing the same under the management and control of the Department of Highways."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 3, line three, printed bill, by striking out the words and figures "one hundred and fifty thousand dollars ($150,000 00)," and inserting in lieu thereof the words and figures "ninety thousand dollars ($90,000 00)."

Amendment adopted.

AMENDMENT No 3.

Amend Section 3, line four, printed bill, by striking out the words and figures "forty thousand dollars ($40,000.00)," and inserting in lieu thereof the words and figures "twenty thousand dollars ($20,000 00)."

Amendment adopted.

AMENDMENT No. 4.

Amend Section 3, line six, printed bill, by striking out the words and figures "fifty thousand dollars ($50,000 00)," and inserting in lieu thereof the words and figures "thirty thousand dollars ($30,000.00)."

Amendment adopted.

AMENDMENT No. 5.

Amend Section 3, line eight, printed bill, by striking out the words and figures "fifty thousand dollars ($50,000.00)," and inserting in lieu thereof the words and figures "thirty thousand dollars ($30,000.00)."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 3, line fifteen, printed bill, by inserting after the word "favor" the word "of."

Amendment adopted.

Assembly Bill No. 694 ordered to print, engrossment, and third reading.

Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, fixing the salaries of officers in counties of the twentieth class.

Read second time.

The following committee amendments were submitted:

Amend by striking out of the title the following: "fixing the salaries of officers in counties of the twentieth class," and inserting the following: "regulating the salaries and compensation of county and township officers in counties of the twentieth class."

Amendment adopted.

Also:

Amend by inserting after the word "county," in line six of the printed bill, the words "and township"; also, by inserting after the word "salaries," in line eight of the printed bill, the words "and fees."

Amendment adopted.

Also:

Amend by inserting at the end of subdivision sixteen, page three, printed bill, the following:

"17. In counties of this class, grand jurors and trial jurors shall each receive for each day's attendance as such jurors the sum of three dollars, and for each mile necessarily and actually traveled by such jurors from their respective residences to the county seat as such jurors the sum of twenty-five cents; *provided*, that such mileage shall be allowed but once during each session such jurors are required to attend.

"18. The provisions of subdivisions thirteen, fourteen, and seventeen of this section shall take effect immediately."

Amendment adopted.

Assembly Bill No. 647 ordered to print, engrossment, and third reading.

Assembly Bill No. 546—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 parents to the counties from which their children are committed."

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

After the word "judge," in line nine of Section 3 of the printed bill, insert the words "with the written consent of the parents or guardian of such boy."

Amendment adopted.

AMENDMENT No 2.

After the word "court," where it first appears in line twelve of Section 3 of the printed bill, insert the words "and the written consent of such parents or guardian."

Amendment adopted.

AMENDMENT No. 3.

After the word "complaint," in line two of Section 4 of the printed bill, insert "and consent."

Amendment adopted.

Assembly Bill No. 546 ordered to print, engrossment, and third reading.

Assembly Bill No. 717—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 in the State when contracting for or purchasing goods or other property.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 627—An Act to authorize and empower the Board of Directors of San Quentin State Prison to purchase California-grown hemp

to be used in the manufacture of grain-bags, and to fix the price at which such bags shall be sold.

Read second time, ordered to third reading, and made special order for Thursday, March 7, 1901.

At nine o'clock and twenty-five minutes P. M., the Speaker resumed the chair.

Mr. Berry asked for and was granted unanimous consent to have Assembly Bill No. 773 made special order for Thursday, March 7, 1901, to follow immediately after Assembly Bill No. 325.

Assembly Bill No. 519—An Act to amend Section 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time and passed on file, to retain place on file.

Assembly Bill No. 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor.

Read second time.

Mr. Hanen 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. 680.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 680 was considerd in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 680 ordered to engrossment and third reading.

Assembly Bill No. 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Read third time.

Mr. Hasson moved that a select committee of one be appointed to amend Assembly Bill No. 652 as follows:

Amend by striking out of title, line six, the figures "177" of the printed bill, and inserting the figures "172."

Also: Amend by striking out of Section 1, line one, printed bill, the word "seven," and inserting the word "two"

Also: Amend by striking out of Section 177, line one of printed bill, the word "twentieth," and inserting the word "fifteenth."

Motion carried, and so ordered.

Mr. Hasson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1901

MR SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform

system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

HASSON, Committee.

Report and amendments adopted.

Assembly Bill No. 652 ordered to print, engrossment, and third reading.

SPECIAL URGENCY FILE.

Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of Agnews State Hospital, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Butler, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Miller, Myers, Ralston, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright and Mr. Speaker—50.

NOES—None

Title read and approved.

Assembly Bill No. 857—An Act to add Section 2757 to the Civil Code of the State of California.

Read third time and passed on file, to retain place on file.

Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Read third time and passed on file, to retain place on file.

Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the "Industrial Home of Mechanical Trades for the Adult Blind."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Assembly Bill No. 353—An Act to carry into effect Section 19 of Article XI of the Constitution of this State; to prevent monopoly, and to secure to the inhabitants of any city or town the benefits of free competition in gas and electric service, and to prevent unreasonable or excessive rates, or discriminations therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Cowan, Dunlap, Feliz, Fiske, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Irving, James, Kincaid, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Ray, Roberts, Savage, Sheridan, Stewart of San Diego, Walker, Wright, and Mr. Speaker—43.

NOES—Messrs Bliss, Foster, Knowland, McWade, Rutherford, Sutro, and Treadwell—7.

NOTICE OF RECONSIDERATION.

Mr. Pendleton gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 353 was this day passed.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 7, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Bliss, further reading of the Journal was dispensed with.

BILLS RECALLED FROM COMMITTEES AND PLACED ON FILE.

Mr. McWade moved that Senate Bill No. 469 be recalled from the Committee on Judiciary, and placed on Senate Special File.

So ordered.

Senate Bill No. 471 ordered recalled from Committee on Public Works, State Capitol, and Parks, and placed on file.

SENATE MESSAGE.

SENATE CHAMBER, SACRAMENTO, March 5, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as case of urgency) Assembly Bill No 484—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Also: Assembly Bill No 485—An Act to amend Section 305 of the Civil Code, relating to corporations.

F J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 484 and 485 ordered to enrollment.

ASSEMBLY CONCURRENT RESOLUTION MADE "RUSH" ORDER TO PRINT.

By Mr. Pendleton: Assembly Concurrent Resolution No. 10—Relative to a donation of $2,500 for the erection of a monument to the memory of the late Hon. Stephen M. White.

Read, and referred to Committee on Ways and Means, with "rush" order to print.

SPECIAL ORDERS.

Assembly Bill No. 793—An Act to amend the Political Code by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Rutherford, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—63.

NOES—None.

Title read and approved.

RECONSIDERATION OF ASSEMBLY BILL.

Mr. Brady moved that reconsideration of the vote whereby the Assembly refused to pass Assembly Bill No. 379 be taken up for consideration.

So ordered.

The roll was called, and action of the Assembly reconsidered by the following vote:

AYES—Messrs Anderson of Santa Clara, Bliss, Brady, Brown of San Francisco, Butler, Carter, Cavagnaro, Chiles, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irving, James, Johnson, John, Kelley, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, Merritt, Milice, Miller, Myers, Ray, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of Amador, Treadwell, Williams, and Mr. Speaker—45.

NOES—Messrs. Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Clarke, Kincaid, Melick, Radcliff, Ralston, Rutherford, Sutro, Walker, and Wright—15

The question being on the passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the result, Mr. Brady moved a call of the House.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—66.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Bennink moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and the bill passed by the following vote:

AYES—Messrs. Bliss, Brady, Brown of San Francisco, Butler, Carter, Cavagnaro, Chiles, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, Merritt, Miller, Myers, Ray, Roberts, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, and Williams—43

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Greer, Henry, James, John, Kincaid, McNeil, McWade, Melick, Milice, Radcliff, Ralston, Rutherford, Sheridan, Sutro, Walker, Webber, and Wright—33.

Title read and approved.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cromwell, Dunlap, Duryea, Foster, Gans, Greer, Guilfoyle, Hanen, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Myers, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Wright, and Mr Speaker—53.

NOES—Messrs. Cavagnaro and Irish—2.

Title read and approved.

RESOLUTION.

By Mr. Anderson of Solano:

Resolved, That Assembly Bill No. 295 (346 on file), Assembly Bill No. 798 (397 on file), and Assembly Bill No. 799 (398 on file) be now read each the second time and placed on Special File for further consideration.

Resolution adopted.

BILLS CALLED UP FOR IMMEDIATE CONSIDERATION.

Assembly Bill No. 295—An Act to amend Section 134 of the Code of Civil Procedure of the State of California, relating to holidays.

Read second time, ordered engrossed and on Special File.

Assembly Bill No. 798—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Read second time, ordered engrossed and on Special File.

Assembly Bill No. 799—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Read second time, ordered engrossed and on Special File.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly for $616.17 in favor of W. O. Banks, Sergeant-at-Arms

of the Assembly, and the State Treasurer is authorized and directed to pay the same, in payment of bills as per list attached:

H. S. Crocker Co.	$85 15
Locke & Lavenson	46 70
D. Johnston & Co.	4 00
D. Johnston & Co.	2 00
Geo. B. Stack	19 73
Geo. B Stack	27 30
Geo. B. Stack	30 89
Geo. B. Stack	19 65
Buffalo Brewing Co.	13 00
Capital Telephone and Telegraph Co.	6 00
Sunset Telephone and Telegraph Co.	10 65
W. L. Reed	17 50
Mrs C. McCall	6 00
Tom Scott	79 15
John Breuner Co.	34 85
John Breuner Co	176 00
Ahl & Daily	37 60
Total	$616 17

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FISK, Chairman.

Report and resolution adopted.

ON PUBLIC MORALS.

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1901.

MR. SPEAKER: Your Committee on Public Morals, to whom was referred Senate Bill No. 554—An Act to prohibit the paying of employés while he or they are in any public saloon, or barroom, or restaurant—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

WEBBER, Chairman.

ON BANKS AND BANKING

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Senate Bill No. 77—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—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

BARNES, Chairman.

BILL TAKEN UP OUT OF ORDER.

Mr. Dunlap moved that Assembly Bill No. 433 be taken up for consideration out of order.

So ordered.

Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, Melick, Merritt, Milice, Miller, Ray, Roberts, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, and Mr Speaker—51.

NOES—Mr. John—1.

Title read and approved.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

The question before the Assembly being the following amendment submitted by Mr. Duryea to Committee Amendment No. 2, as proposed and printed in Monday's Journal:

Amend by striking out all of Section 2 and inserting the following:

SEC. 2. The State is hereby divided into eighty assembly districts, respectively numbered and constituted as follows:

1 The counties of Del Norte, Siskiyou, and Trinity shall constitute the first assembly district

2 All that portion of the county of Humboldt comprising the townships of Orleans, Klamath, Trinidad, Mad River, Union, Eureka, and Bucksport shall constitute the second assembly district

3 All that portion of the county of Humboldt not embraced in the second district shall constitute the third assembly district.

4 The counties of Shasta, Modoc, and Lassen shall constitute the fourth assembly district

5 The counties of Tehama, Plumas, and Sierra shall constitute the fifth assembly district

6. The county of Mendocino shall constitute the sixth assembly district.

7. The county of Butte shall constitute the seventh assembly district

8. The counties of Yuba and Sutter shall constitute the eighth assembly district.

9. The county of Nevada shall constitute the ninth assembly district.

10. The county of Placer shall constitute the tenth assembly district

11. The counties of Amador and Calaveras shall constitute the eleventh assembly district.

12 The counties of Glenn, Colusa, and Lake shall constitute the twelfth assembly district

13 All that portion of the county of Sonoma comprising the townships of Analy, Bodega, Mendocino, Ocean, Petaluma, Redwood, Salt Point, and Vallejo shall constitute the thirteenth assembly district.

14. All that portion of the county of Sonoma not included in the thirteenth district shall constitute the fourteenth assembly district.

15. The county of Napa shall constitute the fifteenth assembly district.

16 The county of Yolo shall constitute the sixteenth assembly district

17 All that portion of the county of Sacramento composed of that part of the city of Sacramento lying north of the center of K street of said city shall constitute the seventeenth assembly district.

18. All that portion of the county of Sacramento composed of that part of the city of Sacramento lying south of the center of K street of said city shall constitute the eighteenth assembly district

19 All that portion of the county of Sacramento not included in the seventeenth and eighteenth districts shall constitute the nineteenth assembly district.

20. The county of Solano shall constitute the twentieth assembly district.

21. The county of Marin shall constitute the twenty-first assembly district.

22. The county of Contra Costa shall constitute the twenty-second assembly district.

23 All that portion of the county of San Joaquin comprising the city of Stockton shall constitute the twenty-third assembly district.

24 All that portion of the county of San Joaquin not included in the twenty-third district shall constitute the twenty-fourth assembly district.

25. The counties of Stanislaus, Merced, and Madera shall constitute the twenty-fifth assembly district

26 The counties of Tuolumne and Mariposa shall constitute the twenty-sixth assembly district.

27. The counties of Tulare and Inyo shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Market street intersects the bay of San Francisco, continuing thence along the center of the following-named streets: Market to Fourth, Fourth to Folsom, Folsom to Third, Third to Bryant, Bryant to the waters of the bay of San Francisco, thence along the shore to Market street, the place of beginning, shall constitute the twenty-eighth assembly district.

29 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Fourth and Market streets, continuing thence along the center of the following named streets. Market to Seventh, Seventh to Mission, Mission to Sixth, Sixth to Bryant, Bryant to Third, Third to Folsom, Folsom to Fourth, Fourth to Market, the place of beginning, shall constitute the twenty-ninth assembly district.

30 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Seventh and Market streets, continuing thence along the center of the following-named streets: Market to Tenth, Tenth to Howard, Howard to Eleventh, Eleventh to Bryant, Bryant to Sixth, Sixth to Mission, Mission to Seventh, along Seventh to Market, the place of beginning, shall constitute the thirtieth assembly district

31 All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Bryant street

intersects with the bay of San Francisco, continuing thence along the center of the following-named streets: Bryant to Eleventh, Eleventh to Howard, Howard to Twentieth, Twentieth to the waters of the bay of San Francisco, thence along the shore to Bryant, the place of beginning, shall constitute the thirty-first assembly district

32. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection where the center of the line of Twentieth street intersects the bay of San Francisco, continuing thence along the center of the following-named streets: Twentieth to Howard, Howard to Army, Army to San Bruno avenue, thence along San Bruno avenue to its intersection with the boundary line dividing the counties of San Francisco and San Mateo, thence along said boundary line to the intersection of the waters of the bay of San Francisco, thence along the shore of said bay to Twentieth street, the place of beginning, shall constitute the thirty-second assembly district

33. All that portion of the city and county of San Francisco bounded as follows: Commencing at the point of intersection of the center of Guerrero and Army streets, continuing thence along the center of the following-named streets: Army to San Bruno avenue, thence along San Bruno avenue to its intersection with the boundary line dividing the counties of San Francisco and San Mateo, thence along said boundary line to the intersection of the waters of the Pacific ocean, thence along the shore of said ocean northerly to Ocean avenue, thence along Ocean avenue to Corbett avenue, thence along Corbett avenue to Fowler avenue, Fowler avenue to Twenty-eighth street, Twenty-eighth to Guerrero, along Guerrero to Army, the point of beginning, shall constitute the thirty-third assembly district.

34. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of the center of Guerrero and Army streets, continuing thence along the center of the following-named streets: Army to Church, Church to Thirteenth, Thirteenth to Buena Vista avenue, Buena Vista avenue to Frederick street, Frederick to Clayton, Clayton to Clarendon avenue, thence along Clarendon avenue to Lincoln avenue, thence along Lincoln avenue to Clipper street, Clipper street to a point where the center of Fowler avenue, if extended, would intersect the center of Clipper street, thence along Fowler avenue to Twenty-eighth, Twenty-eighth to Guerrero, Guerrero to Army, the place of beginning, shall constitute the thirty-fourth assembly district.

35. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Howard and Seventeenth streets, continuing thence along the center of the following-named streets: Seventeenth to Church, Church to Army, Army to Howard, Howard to Seventeenth, the place of beginning, shall constitute the thirty-fifth assembly district

36 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Polk streets, continuing thence along the center of the following-named streets Polk to Grove, Grove to Octavia, Octavia to Market, Market to Thirteenth, Thirteenth to Church, Church to Seventeenth, Seventeenth to Howard, Howard to Tenth, Tenth to the intersection of Market and Polk, the place of beginning, shall constitute the thirty-sixth assembly district.

37. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Octavia streets, continuing thence along the center of the following-named streets: Octavia to Fulton, Fulton to Stanyan, Stanyan to Frederick, Frederick to Buena Vista avenue, thence along Buena Vista avenue to Thirteenth, Thirteenth to Market, Market to Octavia, the place of beginning, shall constitute the thirty-seventh assembly district.

38. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Van Ness avenue and Geary street, continuing thence along the center of the following-named streets. Geary to Masonic avenue, Masonic avenue to Fulton, Fulton to Octavia, Octavia to Grove, Grove to Van Ness avenue, Van Ness avenue to Geary, the place of beginning, shall constitute the thirty-eighth assembly district.

39 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Lyon street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Lyon to Washington, Washington to Baker, Baker to Geary, Geary to Masonic avenue, Masonic avenue to Fulton, Fulton to Stanyan, Stanyan to Frederick, Frederick to Clayton, Clayton to Clarendon avenue, thence along Clarendon avenue to Lincoln avenue, thence along Lincoln avenue to Clipper, Clipper to a point where the center of Fowler avenue, if extended, would intersect the center of Clipper street, thence along the line of Fowler avenue to Corbett avenue, thence along Corbett avenue to Ocean avenue, thence along Ocean avenue to the waters of the Pacific ocean, thence along the shore of said ocean and the said bay to Lyon street, the place of beginning, together with the islands known as the Farallon islands, shall constitute the thirty-ninth assembly district

40. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Van Ness avenue and Washington street, continuing thence along the center of the following-named streets: Washington to Baker, Baker to Geary, Geary to Van Ness avenue, Van Ness avenue to Washington, the place of beginning, shall constitute the fortieth assembly district

41 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Jones street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Jones to

Broadway, Broadway to Van Ness avenue, Van Ness avenue to Washington, Washington to Lyon, Lyon to the waters of said bay, thence along the shore to Jones street, the place of beginning, shall constitute the forty-first assembly district.

42. All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Polk streets, continuing thence along the center of the following-named streets: Polk to Grove, Grove to Van Ness avenue, Van Ness avenue to Broadway, Broadway to Hyde, Hyde to Ellis, Ellis to Jones, Jones to Market, Market to Polk, the place of beginning, shall constitute the forty-second assembly district.

43 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Jones streets, continuing thence along the center of the following named streets: Jones to Ellis, Ellis to Hyde, Hyde to Broadway, Broadway to Mason, Mason to Market, Market to Jones, the place of beginning, shall constitute the forty-third assembly district.

44 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Market and Mason streets, continuing thence along the center of the following-named streets: Mason to Broadway, Broadway to the waters of the bay of San Francisco, thence along the shore of said bay to Market street, thence along Market street to Mason, the place of beginning, shall constitute the forty-fourth assembly district

45 All that portion of the city and county of San Francisco bounded as follows: Commencing at the intersection of Jones street with the waters of the bay of San Francisco, continuing thence along the center of the following-named streets: Jones to Broadway, Broadway to the waters of the bay of San Francisco, thence along the shore of said bay to Jones street, the place of beginning, together with all the waters of the bay of San Francisco and the islands contained therein, situate within the boundaries of the city and county of San Francisco, shall constitute the forty-fifth assembly district.

46 All that portion of the county of Alameda comprising the townships of Murray, Washington, and Eden shall constitute the forty-sixth assembly district.

47 All that portion of the county of Alameda comprising the township of Alameda shall constitute the forty-seventh assembly district.

48. All that portion of the county of Alameda comprising that portion of the city of Oakland bounded as follows. Commencing at a point on the westerly line of Brooklyn township, where the same is intersected by Thirteenth street extended, continuing thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to Twelfth, Twelfth to Adeline, Adeline to the shore line of Oakland creek, and thence extended to the boundary line of said city of Oakland in said creek, thence along said boundary line in said creek to the intersection of said boundary line with the boundary line between the sixth and seventh wards of said city of Oakland, and thence along said last-mentioned boundary line to the place of beginning, shall constitute the forty-eighth assembly district

49 All that portion of the county of Alameda comprising all that portion of the city of Oakland bounded as follows: Commencing at a point on the southerly boundary line of the city of Oakland in Oakland creek, where said boundary line is intersected by Adeline street extended, and thence along the line of the center of the following-named streets: Adeline to Twelfth, Twelfth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline street, Adeline street to the point of intersection of Adeline street with the northern boundary line of the town of Emeryville, thence by runs and courses westerly and northerly in the direction of and following the line of the boundary of the town of Emeryville to the point of intersection of the said boundary line with the westerly boundary line of the county of Alameda, thence southerly and easterly following said county boundary line to the point of beginning, shall constitute the forty-ninth assembly district.

50 All that portion of the county of Alameda comprising all that portion of the city of Oakland bounded as follows: Commencing at a point on the westerly line of Brooklyn township where the same is intersected by Thirteenth street extended, and thence along the center of the following-named streets: Thirteenth to Jefferson, Jefferson to Fifteenth, Fifteenth to Market, Market to San Pablo avenue, San Pablo avenue to Adeline street, Adeline street to a point where the same crosses Temescal creek, thence easterly by meanders to a point where the same is crossed by Shattuck avenue, thence southerly to Forty-fifth street, Forty-fifth to Broadway, thence northerly along Broadway to the boundary line of the city of Oakland, thence southerly and easterly by meanders along said boundary line to the point of intersection with Brooklyn township, thence southerly and westerly by meanders along the westerly boundary line of Brooklyn township to the point of beginning, shall constitute the fiftieth assembly district.

51. All that portion of the county of Alameda comprising the township of Brooklyn shall constitute the fifty-first assembly district.

52. All that portion of Alameda county bounded as follows: Commencing at the point where the southerly line of the town of Berkeley intersects the westerly boundary line of the county of Alameda, thence easterly along said southerly line of the city of Berkeley to the easterly boundary line of the town of Emeryville, thence southerly and along the boundary line between the town of Emeryville and the city of Oakland to the point where Adeline street intersects said boundary line, thence easterly along the line of Temescal creek to Shattuck avenue, thence southerly along the center line of Shattuck avenue to Forty-fifth street, thence easterly along the center line of Forty-fifth street to Broadway, thence along the center line of Broadway to its intersection with the boundary

line of the city of Oakland, thence southerly and easterly along said boundary line to the point of intersection with the westerly boundary line of Brooklyn township, thence in a general direction northerly by runs and courses along the boundary line of Brooklyn township to the point where it intersects the boundary line of Alameda county, thence westerly by runs and courses along the said boundary line of Alameda county, and southerly along said westerly boundary line of Alameda county to the point of beginning, shall constitute the fifty-second assembly district.

53. The county of San Mateo shall constitute the fifty-third assembly district

54. The county of Santa Cruz shall constitute the fifty-fourth assembly district.

55. All that portion of the county of Santa Clara comprised in the precincts of Alma, Almaden, Berryessa, Burnett, East San José, Evergreen, Gilroy number one, Gilroy number two, Guadalupe, Highland, Las Animas, Llagas, Morgan Hill, Mount Hamilton, Pioneer, Rucker, San Felipe, Solis, Union, Uvas, Vineland, Los Gatos number one, Los Gatos number two, Wrights, San Ysidro, and the third ward of the city of San José shall constitute the fifty-fifth assembly district

56. All that portion of the county of Santa Clara comprised in the precincts of Alameda, Crandallville, Hester, Gardner, Cottage Grove, Franklin, Oak Grove, Robertsville, Willow Glen, Campbell, Moreland, Santa Clara number one, Santa Clara number two, Santa Clara number three, Jefferson, Cupertino, Saratoga, and the fourth ward of San José shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Santa Clara not included in the fifty-fifth and fifty-sixth districts shall constitute the fifty-seventh assembly district.

58. The counties of El Dorado, Alpine, and Mono shall constitute the fifty-eighth assembly district.

59. The counties of Monterey and San Benito shall constitute the fifty-ninth assembly district.

60 All that portion of the county of Fresno comprising the precincts of Black Mountain, Bryant, Cantua, Crescent, Chicago, Central Colony, Collis, Firebaugh, Fresno Colony, Fresno number five, Fresno number six, Fresno number seven, Fresno number eight, Fresno number nine, Fresno number ten, Fowler number one, Fowler number two, Gill, Huron, Kingston, Kingsburg, Liberty, Lake, Lewis Creek, Madison, New Hope, Oleander, Panoche, Pleasant Valley, Sycamore, Selma number one, Selma number two, Terry, White's Bridge, Warthan, West Park, Washington Colony, and Wild Flower shall constitute the sixtieth assembly district.

61. All that portion of the county of Fresno not included in the sixtieth district shall constitute the sixty-first assembly district.

62. The county of Kings shall constitute the sixty-second assembly district

63. The county of San Luis Obispo shall constitute the sixty-third assembly district.

64 The county of Santa Barbara shall constitute the sixty-fourth assembly district.

65. The county of Ventura shall constitute the sixty-fifth assembly district.

66. The county of Kern shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: San Vicente, Calabasas, Chatsworth, San Fernando, Lankershim, Burbank, Glendale, Garvanza, La Cañada, Newhall, Acton, La Liebre, Del Sur, Lancaster, Palmdale, Llano, Pasadena numbers one, two, three, four, five, six, seven, and eight shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Pomona city numbers one, two, three, four, and five, Claremont, Lordsburg, Spadra, Glendora, Azusa City, Azusa, Covina, Rowland, El Monte, Monrovia, Duarte, Rivera, Los Nietos, Whittier, and East Whittier, shall constitute the sixty-eighth assembly district

69. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers sixty-four *a*, sixty-four *b*, sixty-five, sixty-six, sixty-seven, and sixty-eight, Alhambra, San Gabriel, South Pasadena, Sierra Madre, Lamanda, North Pasadena numbers one and two, Fruitland, Downey numbers one and two, Norwalk, Artesia, Clearwater, Cerritos, Long Beach city numbers one and two, and Terminal, shall constitute the sixty-ninth assembly district.

70 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Catalina, Santa Monica city numbers one, two, and three, Ballona, Hyde Park, Gardena, Wiseburn, Redondo City, Wilmington, San Pedro numbers one, two, and three, Compton numbers one and two, Florence, Los Angeles city numbers seventy-two *a*, seventy-two *b*, seventy-three *a*, seventy-three *b*, seventy-four, seventy-five, seventy six and seventy-seven, shall constitute the seventieth assembly district.

71. All that portion of the county of Los Angeles included in and comprising the following election precincts and parts of precincts of nineteen hundred, to wit Los Angeles city numbers thirty-seven, thirty-eight *a*, thirty-eight *b*, thirty-nine, forty, forty-one, forty-five *a*, forty-five *b*, forty-six, all that portion of numbers fifty and fifty-one between Alameda street and the center of Los Angeles river, same being north of Ninth street, fifty-six, fifty-five, and fifty-four, shall constitute the seventy-first assembly district

72. All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit Los Angeles city numbers forty-four *a*, forty-four *b*, forty-three, forty-two, thirty-one, thirty-two, thirty-six, thirty-

five *a*, thirty-five *b*, seventy, and seventy-one, shall constitute the seventy-second assembly district.

73. All that portion of the county of Los Angeles included in and comprising the following election precincts and parts of election precincts of nineteen hundred, to wit: Los Angeles city numbers forty-seven, forty-eight *a*, forty-eight *b*, forty-nine *a*, forty-nine *b*, all that part of fifty and fifty-one between Alameda street and Central avenue, Third and Ninth streets, fifty-two, fifty-three, twenty-eight, twenty-nine, thirty, thirty-three, thirty-four *a*, thirty-four *b*, shall constitute the seventy-third assembly district

74 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers one, two, three *a*, three *b*, four, five, six, fifty-seven *a*, fifty-seven *b*, fifty-eight *a*, fifty-eight *b*, fifty-nine, sixty, sixty-one, sixty-two, sixty-three, seven, eight, Cahuenga, Monte Vista, National Military Home numbers one, two, three, four, and five, shall constitute the seventy-fourth assembly district.

75 All that portion of the county of Los Angeles included in and comprising the following election precincts of nineteen hundred, to wit: Los Angeles city numbers nine, ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, and sixty-nine shall constitute the seventy-fifth assembly district.

76. The county of San Bernardino shall constitute the seventy-sixth assembly district

77. The county of Orange shall constitute the seventy-seventh assembly district

78 The county of Riverside shall constitute the seventy-eighth assembly district.

79. All that portion of the county of San Diego included within the corporate limits of the city of San Diego shall constitute the seventy-ninth assembly district.

80. All that portion of the county of San Diego not included in the seventy-ninth district shall constitute the eightieth assembly district.

Amendment to Committee Amendment No. 2 adopted.

Amendment No. 2, as amended, adopted.

Senate Bill No. 447 ordered to print and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made

Assembly Bill No. 421—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Assembly Bill No. 423—An Act making an appropriation of $4,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a concrete sidewalk along California and Park streets, in the City of Stockton, around the lands of this State occupied by the Stockton State Hospital.

And were presented to the Governor this day at ten o'clock A. M.

FRANKLIN, Chairman.

At eleven o'clock and two minutes A. M., the Speaker called Mr. Guilfoyle to the chair.

SPECIAL ORDER.

Senate Bill No. 627—An Act to authorize and empower the Board of Directors of San Quentin Prison to purchase California-grown hemp to be used in the manufacture of grain bags, and to fix the price at which such bags shall be sold.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Dunlap, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Milice,

Myers, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams and Wright—60.
NOES—None

Title read and approved.

Mr. Kelley moved that Senate messages be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 6, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 386—An Act to amend Section 56 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to officers of a township

Also: Substitute for Senate Bill No. 634—An Act making an appropriation to pay the expenses of legislative printing for the thirty-fourth session.

Also: Amended, and passed as amended, Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest.

Also: Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 828 to 831*q*, inclusive, relating to actions for divorce.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Adopted Assembly Concurrent Resolution No. 9—Relative to the departure from the State of the Hon. C. W. Pendleton.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 386—An Act to amend Section 56 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to officers of a township.

Read first time, and referred to Committee on County and Township Governments.

RESOLUTION.

By Mr. Kelley:

Resolved, That Senate Bill No 634 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Butler, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Wright—57.
NOES—None.

Senate Bill No. 634—An Act making an appropriation to pay the expenses of legislative printing for the thirty-fourth session.

Read first time, and ordered to second reading.

Senate Bill No. 634—An Act making an appropriation to pay the expenses of legislative printing for the thirty-fourth session.

Read second time.

Mr. Kelley moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Guilfoyle in the chair, for the purpose of considering Senate Bill No. 634.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Guilfoyle in the chair.

Senate Bill No. 634 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Guilfoyle in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 634—An Act making an appropriation to pay the expenses of legislative printing for the thirty-fourth session—and do now report the same back, and recommend that the same do pass.

GUILFOYLE, Chairman.

Report adopted.

Senate Bill No. 634 ordered to third reading.

Senate Bill No. 634—An Act making an appropriation to pay the expenses of legislative printing for the thirty-fourth session.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Greer, Guilfoyle, Haley, Hasson, Hourigan, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, McNeil, Milice, Miller, Myers, Ralston, Ray, Rutherford, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—52.

NOES—None.

Title read and approved.

Mr. Bauer moved that the Assembly concur in the following Senate amendment to Assembly Bill No. 503:

Amend by striking out the words "from and after its passage," in line one, Section 2, first page, printed bill, and inserting in lieu thereof the words "the first day of January, nineteen hundred and two."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clark, Collins, Cowan, Cromwell, Duryea, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, McNeil, Melick, Merritt, Milice, Ralston, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of Amador, Walker, Webber, and Williams—48.

NOES—None.

Assembly Bill No. 503 ordered to enrollment.

Mr. Sheridan moved that the Assembly concur in the following Senate amendments to Assembly Bill No. 531:

Amend by striking out of Section 331*f*, line ninety-five, the words "one year," and inserting the words "six months."

Also: Amend by adding before each numbered section the abbreviation "Sec."

Also: Amend by striking out Section 829.

Also: Amend by striking out of Section 831, line forty-one, the words "one year,"

Also: Amend by striking out of Section 831, line four, the words "one year," and inserting the words "ninety days."

Also: Amend by inserting after the word "existence," in line sixty-nine, third page, printed bill, the words "of the fact of the marriage"

Also: Amend by inserting after the word "divorce," in line seventy, third page, printed bill, the words "and the non-existence of any cause for denying the same."

Also: Amend by striking out the word "facts found," in line eighty-four, third page, printed bill, and inserting in lieu thereof the words "fact of the marriage and of a ground for divorce, and the non-existence of any cause for denying the same."

Also: Amend by striking out the words "not in default in the performance of any order of court made in the action," in lines ninety-six and ninety-seven, fourth page, printed bill, and inserting in lieu thereof the figures "31."

Also: Amend by striking out the words "one year from the entry of the said interlocutory decree," in lines ninety-five and ninety-six, fourth page, printed bill, and

inserting in lieu thereof the following: "on or after one year from the entry of the said interlocutory decree, unless the same shall have been reversed on appeal or a new trial of the action shall have been granted"

Also: Amend by striking out the words "if he seeks," in line one hundred and two, fourth page, printed bill, and inserting in lieu thereof the words "if he or she seek."

The question being, "Shall the Assembly concur in Senate amendments?"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Brady, Broughton, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, Johnson, John, Kincaid, Laird, Macbeth, Mattos, McNeil, Melick, Milice, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—50.

NOES—Mr. Henry—1.

Assembly Bill No. 531 ordered to enrollment.

MOTION.

Mr. Anderson of Solano moved that Unfinished Business File be passed.

So ordered.

LEAVE OF ABSENCE.

Mr. Anderson of Solano was granted leave of absence for the remainder of the day.

BILL TAKEN UP OUT OF ORDER.

Mr. Broughton moved that Committee Substitute for Senate Bill No. 19 be taken up for consideration out of order.

So ordered.

Committee Substitute for Senate Bill No. 19—A proposed Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the 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. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knowland, Laird, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—54.

NOES—None.

Title read and approved.

At eleven o'clock and twenty-five minutes A. M., the Speaker resumed the chair.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR SPEAKER: Your Committee of Conference concerning Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897—report that we have met a like committee of the Senate, consisting of Senators Taylor, Leavitt, and Smith of Kern, and we report that the conference committee agreed upon and recommend that the Senate concur in Assembly Amendments Nos. 1, 2, 4, and 5, and that the Assembly recede from Assembly Amendment No. 3.

KNOWLAND,
Chairman Committee of Conference of Assembly.

The question being on the adoption of the report of the committee of conference on Assembly amendments to Senate Bill No. 407.

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, John, Kelley, Kincaid, Knowland, Levinson, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Ralston, Roberts, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—52.

NOES—None.

BILL TAKEN UP OUT OF ORDER.

Mr. Foster moved that Assembly Bill No. 253 be taken up for consideration out of order.

So ordered.

Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Treadwell, Walker, Williams, and Mr Speaker—60

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No 384—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital at Stockton to repair the boilers of the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

Also: Senate Bill No 385—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended

Also: Senate Bill No 149—An Act to pay the claim of John P Dulip 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 the same do pass.

FISK, Chairman.

BILL TAKEN UP OUT OF ORDER.

Mr. Carter moved that Assembly Bill No. 519 (280 on file) be read second time.

So ordered.

Assembly Bill No. 519—An Act to amend Section 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting after the words "otherwise provided," on line two, page one of printed bill, the following: "*provided*, and except that where an assistant district attorney has been heretofore appointed in any county, either under the provisions of subdivision thirty-six of section twenty-five or under any other provision of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved March twenty-fourth, eighteen hundred and ninety-three, and such assistant is continued by the provisions of this Act, either as an assistant or deputy in such county, then such deputy or assistant shall be paid out of the funds of such county as heretofore or herein provided."

Amendment lost.

AMENDMENT No. 2.

Amend by striking out the word "reasons," in line forty-one of page two of printed bill, and inserting in lieu thereof the word "reason."

Amendment lost.

AMENDMENT No 3

Amend by striking out the words "and be in force from and after its passage," in lines one and two of page three of printed bill, and inserting in lieu thereof the words "immediately as to the compensation of all the foregoing officers and as to all matters herein."

Amendment lost.

AMENDMENT No. 4.

Amend by striking out the word "its," in line thirty-four, page two of printed bill, and inserting in lieu thereof the word "the."

Amendment lost.

Assembly Bill No. 519 ordered to engrossment and third reading.

BILL RECALLED FROM COMMITTEE.

Mr. Dunlap moved that Senate Bill No. 415 (121 on file) be recalled from Committee on Ways and Means and placed on Senate Special File, it being identical with Assembly Bill No. 547 (47 on file), and that Assembly Bill No. 547 be withdrawn; also, that Assembly Bill No. 64 (41 on file) be withdrawn.

So ordered.

RECESS.

The hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

BILL TAKEN UP OUT OF ORDER.

Mr. Rutherford asked and was granted unanimous consent to have Senate Bill No. 640 taken up out of order for consideration.

Senate Bill No. 640—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2757, relating to fire insurance companies.

Read second time, and ordered to third reading.

SENATE SPECIAL FILE.

Mr. Mattos moved that Senate Bill No. 398 be now considered.

So ordered.

Senate Bill No. 398—An Act to pay the claim of Louise Rienzi against the State of California.

Read second time.

Mr. Mattos moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 398.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 398 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 398—An Act to pay the claim of Louise Rienzi against the State of California—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 398 ordered to third reading.

Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read second time.

Mr. Foster moved to amend as follows:

Amend by striking out Sections 3, 4, and 5 of the printed bill.

Amendment adopted.

Also:

Amend by striking out of Section 2, line three, the words "there shall be paid," and all the remainder of the said section, and inserting the following: "and commencing with the fifty-fifth fiscal year there shall be an appropriation biennially of the sum of two hundred thousand ($200,000) dollars therefor, which sum shall be carried into the General Appropriation Bill as are the items of appropriation for other State institutions and be an item thereof."

Amendment adopted.

Senate Bill No. 539 ordered to print and third reading.

PRIVILEGES OF THE HOUSE EXTENDED.

Mr. Anderson of Solano moved that Mr. Lindenberger, a former member of the Legislature, be extended the privileges of the House.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 561—An Act to prevent tampering with animals, and to prevent the giving or administering of poison or drugs to horses, cattle, dogs, animals, and other livestock, except for medicinal purposes, and making the same a misdemeanor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Williams, and Mr. Speaker—63

NOES—None

Title read and approved.

Senate Bill No. 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnes, Bauer, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Clarke, Collins, Duryea, Evatt, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irish, Johnson, John, Kelley, Knowland, Mattos, McWade, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego. Stewart of Amador, Sutro, and Mr. Speaker—46.

NOES—Messrs. Atherton, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Cowan, Dunlap, Feliz, Hasson, Higby, Irving, Kincaid, Laird, Levinson, McLoughlin, McNeil, Melick, Myers, Walker, and Wright—21.

Title read and approved.

RECONSIDERATION.

Mr. Sutro gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 164 was this day finally passed.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Duryea, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Miller, Myers, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No 547—An Act amending Section 165 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Duryea, Evatt, Foster, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, John, Kelley, Kincaid, Knowland, Laird, Levinson, Mattos,

McLoughlin, McNeil, Milice, Miller, Myers, Ralston, Ray, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr Speaker—52.

NOES—Mr. Reeber—1.

Title read and approved.

Senate Bill No. 170—An Act to amend an Act entitled "An Act to authorize the Boards 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.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Butler, Carter, Chandler, Chiles, Collins, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 13—An Act to amend Sections 3, 5, 6, and 10 of an Act entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Dunlap, Feliz, Fisk, Franklin, Guilfoyle, Haley, Hanen, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Treadwell, Walker, and Mr. Speaker—49

NOES—None.

Title read and approved.

Senate Bill No. 56—An Act to amend Section 530 of "An Act to establish a Political Code, relative to the office of Superintendent of State Printing, providing for the appointment of such officer by the Governor, and repealing an Act providing for the election of Superintendent of State Printing," approved March 10, 1891.

Read third time.

At three o'clock and twenty-five minutes P. M., the time for consideration of Senate Special File was extended until the subject under consideration was completed.

The roll was called, and Senate Bill No. 56 passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Clarke, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Henry, Hourigan, Irving, Johnson, Kelley, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Wright, and Mr. Speaker—45.

NOES—Messrs. Atherton, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Feliz, Foster, Haley, Hanen, Irish, James, John, Kincaid, Laird, Levinson, McLoughlin, Roberts, Sheridan, Simpson, Walker, and Williams—22.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Guilfoyle gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 56 was this day finally passed.

EXPLANATION OF VOTE.

Mr. Mattos explained his vote on Senate Bill No. 56 as follows:

I desire to explain my vote on Senate Bill No. 56. I voted for the bill because I think it will be for the best interests of the office to make it appointive, and because the men of the craft in Sacramento, to wit: Sacramento Council of Federated Trades and the Sacramento Allied Trades Council, have passed resolutions in favor of said office being appointive, believing that the people of the printing trades know better than any one else what is good for them. The following is one of the resolutions received by me in relation to said bill:

"SACRAMENTO ALLIED TRADES COUNCIL FAVORS THE APPOINTMENT OF SUPERINTENDENT OF STATE PRINTING.

"At a special meeting of Sacramento Allied Trades Council held Monday, February 18, 1901, the following resolutions were unanimously adopted:

"WHEREAS, A bill is now under consideration by the Assembly, known as Senate Bill No. 56, providing for the appointment of the Superintendent of State Printing, and which bill has been passed by the Senate by a vote of 21 to 8; and

"WHEREAS, This Council feels deeply interested in the bill under consideration, as we believe the perpetuation of the State Printing Office largely depends upon the passage of Senate Bill No. 56, making the office an appointive one; and

"WHEREAS, During the six years the State Printing Office has been working under the elective system it has been attended by the most disastrous results to the organized skilled labor employed in that office; therefore, be it

"*Resolved*, That Sacramento Allied Trades Council strongly advocates the appointment of Superintendent of State Printing as a measure necessary for the protection of the skilled labor employed therein;

"*Resolved*, That this Council urges upon all friends of organized labor to vote for the measure making the office of Superintendent of State Printing appointive; be it further

"*Resolved*, That a copy of these resolutions be immediately transmitted to each member of the Assembly.

"J. E. RUGGLES, President.
"J. J. C. FITZGERALD, Secretary."

RESOLUTION—(OUT OF ORDER).

Resolved, That the Committee on Engrossment and Enrollment be and is hereby directed to forthwith report back to this body Assembly Bills Nos. 773 and 325, heretofore considered engrossed, and made special order for consideration this day.

Adopted.

At three o'clock and forty minutes P. M., Speaker pro tem. Ralston was called to the chair.

ASSEMBLY SPECIAL FILE.

Assembly Bill No. 340—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Cavagnaro, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Irving, James, Johnson, John, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Milice, Ralston, Ray, Roberts, Rutherford, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Wright—48.

NOES—None.

Title read and approved.

Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavag-

naro, Collins, Dunlap, Duryea, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Sheridan, Simpson, Stewart of Amador, Treadwell, Walker, and Wright—46.

NOES—None.

Title read and approved.

Assembly Bill No. 341—An Act to provide certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Collins, Dunlap, Duryea, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Levinson, Macbeth, Mattos, McNeil, Melick, Merritt, Miller, Ralston, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—51.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Assembly Bill No. 773—An Act to change and permanently locate the boundary line between the counties of Del Norte and Siskiyou.

FRANKLIN, Chairman.

At three o'clock and fifty-five minutes P. M., the Speaker resumed the chair.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 344—An Act to provide certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Collins, Cromwell, Dunlap, Duryea, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

WITHDRAWAL OF BILL.

Assembly Bill No. 343 withdrawn by author.

SENATE SPECIAL FILE—(RESUMED).

Mr. Dunlap moved that Senate Bill No. 584 be taken up for consideration.

So ordered.

Senate Bill No. 584—An Act to amend Section 475 of the Political Code of the State of California.

Read second time.

Senate Bill No. 584 ordered to third reading.

WITHDRAWAL OF BILLS.

Assembly Bills Nos. 417 and 610 withdrawn by authors.

MOTION.

Mr. Macbeth moved that Assembly Bill No. 244 be withdrawn, and that Senate Bill No. 265 be taken up out of order for consideration.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 265—An Act appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School.

Read second time.

Mr. Guilfoyle moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 265.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 265 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 265—An Act appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

The following committee amendments were submitted:

Amend by striking out the words "one hundred," in line one, Section 1, first page, printed bill, and inserting in lieu thereof the word "fifty."

Amendment lost.

Also:

Amend by striking out the figures "$100,000," in first line of title, first page, printed bill, and inserting in lieu thereof the figures "$50,000."

Amendment lost.

Senate Bill No. 265 ordered to third reading.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 617—An Act to provide for improving the grounds of Agnews State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles,

Cromwell, Evatt, Foster, Gans, Haley, Hanen, Hasson, Henry, Higby, Irving, Johnson, John, Kincaid, Knowland, Levinson, Macbeth, Mattos, Merritt, Milice, Miller, Myers, Ray, Rutherford, Savage, Schillig, Simpson, Sutro, Walker, and Wright—42.

Noes—Messrs. Carter, Cavagnaro, Collins, Cowan, Duryea, Feliz, Fisk, Franklin, Gulfoyle, James, Knight, Laird, McLoughlin, McNeil, McWade, Melick, Ralston, Roberts, Schlesinger, Sheridan, Stewart of Amador, Treadwell, and Mr. Speaker—23.

Title read and approved.

SENATE SPECIAL FILE—(RESUMED).

Mr. Anderson of Solano moved that Senate Bill No. 142 be taken up for consideration out of order.

So ordered.

Senate Bill No. 142—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein.

Read second time.

At four o'clock and twenty-nine minutes P. M., Mr. Rutherford moved that the time of recess be extended until matter under consideration be disposed of.

So ordered.

The following amendments were offered by Mr. Carter:

After the word "Tuolumne," in line seven, page one, insert the words "shall constitute the First Congressional District."

Also: After the word "Marin," in line nine, insert the words "shall constitute the Second Congressional District."

Also: After the word "Solano," in line ten, insert the words "shall constitute the Third Congressional District"

Also: After the words "San Francisco," in line twenty-three, insert the words "shall constitute the Fourth Congressional District."

Also: After the words "Santa Clara," in line twenty-seven, insert the words "shall constitute the Fifth Congressional District"

Also: After the words "San Joaquin," in line twenty-nine, insert the words "shall constitute the Sixth Congressional District."

Also: After the words "Los Angeles" in line thirty, insert the words "shall constitute the Seventh Congressional District."

Also: After the words "San Diego," in line thirty-three, insert the words "shall constitute the Eighth Congressional District."

Amendments adopted.

SPECIAL ORDER SET.

Mr. Anderson of Solano moved that Senate Bill No. 142 be made special order for Friday, March 8, 1901, immediately following Senate Bill No. 447, and that it be sent to printer as a "rush" order.

So ordered.

RECESS.

At four o'clock and thirty-five minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

Mr. Anderson of Solano moved that Senate Bill No. 77 be referred to Committee on Banks and Banking.

So ordered.

SPECIAL ORDERS.

Mr. Hanen moved that Assembly Bill No. 325 be taken up for consideration out of order.

So ordered.

Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Read third time.

Mr. Gans moved that a select committee of one be appointed to amend Assembly Bill No. 325 as follows:

Add after the word "hours," at end of line nine, Section 1 of bill, the following: "*provided further*, that nothing in this Act shall be construed to prevent any man from working more than ten hours in one day, with his consent, and provided that he receive additional compensation for such overtime."

Motion carried, and so ordered.

Mr. Gans was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps—with instructions to amend, now reports that the instructions of the Assembly have been carried out

GANS, Committee.

Report and amendment adopted.

Assembly Bill No. 325 ordered to print, reengrossment, and on file for final action.

Mr. Feliz moved that Senate Bill No. 512 be taken up out of order for the purpose of amendment.

So ordered.

Senate Bill No. 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read second time.

Mr. Feliz moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 512.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 512 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property—and do now report the same back with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 512—An Act to provide for a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property

Mr. Feliz moved to amend as follows:

Amend by striking out Section 5, page two, of printed bill, and inserting the following: "SEC. 5. This Act shall take effect and be in force from and after the first day of January, nineteen hundred and two."

Amendment adopted.

Senate Bill No. 512 ordered to print and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Assembly Bill No. 706—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793, of the Political Code of the State of California, relating to public schools.

Assembly Bill No. 779—An Act to amend Sections 40, 159, and 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California

Assembly Bill No. 705—An Act creating the office of Game Commissioner, and defining his duties.

Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor, and secure an option of purchase therefor, and submit sketch plans and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes

Assembly Bill No 717—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 in the State, when contracting for or purchasing goods or other property"

Assembly Bill No 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor.

Assembly Bill No. 330—An Act to amend Sections 4, 5, and 8 of an Act approved March 29, 1897, entitled '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.'"

Assembly Bill No 310—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Assembly Bill No. 517—An Act to amend Section 3546, Section 3547, and Section 3555 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.

Assembly Bill No. 543—An Act regulating the hours of service, on regular duty, by members of the fire department of cities of the first class, and cities and counties.

Assembly Bill No. 595—An Act to define express companies and to prescribe the mode of taxing the same, and to fix the rate of taxation thereon

Assembly Bill No 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments.

Assembly Bill No 681—An Act to promote the horticultural interests of the State by providing county boards of horticultural commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing county boards of horticulture," approved March 31, 1897

Assembly Bill No. 685—An Act to amend the Code of Civil Procedure of the State of California by adding thereto six new sections, to be numbered 710, 711, 712, 713, 713*a*, and 713*b*; to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor, to release the property so claimed from the levy and lien of said execution, to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking, in case any objection made is sustained by the court, or admitted.

Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Assembly Bill No. 766—An Act to amend Section 1665 and Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Assembly Bill No. 295—An Act to amend Section 134 of the Code of Civil Procedure of the State of California, relating to holidays.

Assembly Bill No. 798—An Act to amend Section 10 of the Political Code of the State of California, relating to holidays.

Assembly Bill No. 799—An Act to amend Section 7 of the Civil Code of the State of California, relating to holidays.

Assembly Bill No. 519—An Act to amend Section 215 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

FRANKLIN, Chairman.

SPECIAL ORDER.

Assembly Bill No. 773—An Act to change and permanently locate the boundary line between the counties of Del Norte and Siskiyou.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—58.

NOES—None.

Title read and approved.

SPECIAL URGENCY FILE.

Assembly Bill No. 706 (Committee Substitute for Assembly Bill No. 358)—An Act to amend Sections 1503, 1521, 1663, 1670, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Santa Clara, Bliss, Brady, Chandler, Clarke, Cowan, Fisk, Foster, Gans, Haley, Hanen, Hasson, Henry, Higby, James, Knowland, Levinson, Macbeth, McWade, Melick, Miller, Myers, Ralston, Savage, Schillig, Simpson, Sutro, and Wright—28.

NOES—Messrs. Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Collins, Cromwell, Dunlap, Duryea, Evatt, Feliz, Franklin, Greer, Guilfoyle, Hourigan, Irish, John, Kincaid, Knight, Laird, McLoughlin, McNeil, Merritt, Milice, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—37.

Mr. Dunlap gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 706 (Committee Substitute for Assembly Bill No. 358) was this day refused passage.

Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for the same, and repealing conflicting Acts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Butler, Cavagnaro, Clarke, Collins, Cromwell, Duryea, Evatt, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Johnson, John, Kelley, Knight, Macbeth, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan,

Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Williams, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

Read second time, ordered to engrossment and third reading.

No. 14 on Members' Urgency File was not considered, the required number of objectors having signed as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: The undersigned members of the Assembly hereby object to the consideration on the Special Urgency File of the following, viz: Senate Bill No 535—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transferring its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection, which has henceforth been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointment of agents heretofore made by the Governor of this State to collect and receive said money, and the resolutions under which said appointments were made, and authorizing the appointment of other agents, defining the duties and creating the powers of said agents, and fixing their compensation for their services under this Act, and directing the distribution of the moneys so collected.

G. L JOHNSON
W. C. RALSTON.
W. S. MELICK.
J A. BLISS
J. G. MATTOS.
E. F. TREADWELL.
G. C. BROWN.
J. F. CHILES

Mr. Cowan (by permission of Mr. Merritt) asked and was granted unanimous consent to have Assembly Bill No. 456 taken up out of order, and placed in space 151 on file, space 151 having been made vacant by Senate Bill No. 535 being objected to by seven members.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Irish, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McNeil, Milice, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.

NOES—Messrs. Chandler, McLoughlin, Melick, and Roberts—4.

Title read and approved.

Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Chiles, Cromwell, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hourigan, Hubbard, Irish, Irving, Johnson, Kelley, Kincaid, Knight, Macbeth, Mattos, McWade, Ralston, Ray, Reeber, Rutherford, Savage, Schlesinger, Stewart of San Diego, Walker, Williams, Wright, and Mr. Speaker—43.
NOES—Messrs. Cavagnaro, Clarke, Sheridan, and Simpson—4

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 456—An Act to add a new section to the Political Code of the State of California, to be known as Section 4045, relating to the powers of Boards of Supervisors, City Councils, and Town Trustees in their respective counties, cities, and towns, and to impose a license tax at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

Assembly Bill No. 873—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases, and to manage said California Redwood Park.

FRANKLIN, Chairman

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Read third time.

Mr. McWade moved that a select committee of one be appointed to amend Assembly Bill No. 815, as follows:

Strike out of Section 1, line thirty-five, page two of printed bill, the words "and Board of Supervisors," and insert in lieu thereof the word "Sheriff."

Motion carried, and so ordered.

Mr. McWade was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

McWADE, Committee.

Report and amendment adopted.

Mr. Greer moved that a select committee of one be appointed to amend Assembly Bill No. 815 as follows:

Strike out of line eight, Section 1, the words "and fifth."

Motion carried, and so ordered.

Mr. Greer was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

GREER, Committee.

Report and amendment adopted.

Assembly Bill No. 815 ordered to print, engrossment, and on file for final action.

Assembly Bill No. 845—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State, for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursements of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 238—An Act making an appropriation for repairs and improvements at the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union Veterans who served honorably in the Civil War.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Ralston, Ray, Roberts, Savage, Schlesinger, Treadwell, Walker, Williams, and Wright—52.

NOES—None.

Title read and approved.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Read third time.

Mr. Sheridan moved that a select committee of one be appointed to amend Assembly Bill No. 561, as follows:

Strike out from printed bill, as amended, all of line nine after the word "only"; all of lines ten, eleven, twelve, thirteen, fourteen, fifteen, sixteen, seventeen, and eighteen, and the word "they," in line nineteen, and insert in lieu thereof, the following: "First, the payment of the expense of general county road improvements in which the inhabitants of all of the districts within the county are interested; second, the assistance of weak and impoverished districts in keeping roads in repair; third, the payment of such demands as are payable by law out of the general road fund; *provided*, that no greater proportion of such general road fund shall be used or expended in any road district than the amount collected in such road district, unless the Board of Supervisors shall by a

two-thirds vote of all its members authorize the expenditure therein of such greater proportion, and the said board."

So ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

SHERIDAN, Committee.

Report and amendment adopted.

Assembly Bill No. 561 ordered to print, reëngrossment, and on file for final action.

Assembly Bill No. 363—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 boards of trustees of cities of the fifth class.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Knight, Laird, Levinson, Mattos, McNeil, McWade, Milice, Miller, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—51

NOES—None.

Title read and approved.

Assembly Bill No. 702—An Act to amend Sections 3462 and 3463 of the Political Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, McNeil, Merritt, Milice, Ralston, Ray, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—58

NOES—None.

Title read and approved.

Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, McWade, Merritt, Milice, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.

NOES—Mr. Johnson—1.

Title read and approved.

Assembly Bill No. 416—An Act to create and regulate public warehouses.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Berry, Bliss, Brown of San Mateo, Butler, Carter, Chandler, Clarke Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Johnson, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Sutro, Williams, and Mr. Speaker—43.

NOES—Messrs. Brady, Cavagnaro, Chiles, Collins, Franklin, McLoughlin, Myers, Stewart of San Diego, and Walker—9.

Title read and approved.

Assembly Bill No. 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing of sheep.

Read third time.

Mr. Rutherford moved that a select committee of one be appointed to amend Assembly Bill No. 402 as follows:

Strike out the word "four," in line seven, page one, Section 1, and insert in lieu thereof the word "five."

Also: Strike out the word "four," in line one, page one, Section 1, and insert in lieu thereof the word "five."

Motion lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Bliss, Broughton, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Irish, Johnson, Kelley, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Walker, Williams, and Mr. Speaker—43

NOES—Messrs Barnes, Berry, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Feliz, Franklin, Haley, Henry, Hubbard, Irving, Laird, Levinson, McLoughlin, Miller, Roberts, Rutherford, Schlesinger, Stewart of Amador, and Sutro—20.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. Irish gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 402 was this day passed.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Cowan, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Higby, Irving, Johnson, Kelley, Kincaid, Knight, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, and Sutro—47.

NOES—None.

Title read and approved.

Assembly Bill No. 216—An Act to promote safety in mines, and creating the office of Inspector of Mines.

The question being on the passage of the bill.

The roll was called.

Pending announcement of the vote, Mr. Ray moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—64.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Ralston moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and the bill refused passage by the following vote:

AYES—Messrs. Berry, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Evatt, Foster, Greer, Haley, Irish, Irving, Johnson, Kelley, Kincaid, Laird, Levinson, McLoughlin, McWade, Milice, Miller, Myers, Rutherford, Schlesinger, Sheridan, and Williams—29.

NOES—Messrs. Anderson of Santa Clara, Bennink, Bliss, Broughton, Carter, Dunlap, Duryea, Feliz, Franklin, Gans, Guilfoyle, Hanen, Knowland, McNeil, Melick, Ralston, Ray, Roberts, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—27.

NOTICES OF RECONSIDERATION.

Mr. Ray gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 416 was this day refused passage.

Mr. Foster gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 379 was this day passed.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 8, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Mattos, further reading of the Journal was dispensed with.

APPROVAL OF JOURNALS.

The Journals of Tuesday and Wednesday, March 5 and 6, 1901, were read, corrected, and approved.

LEAVE OF ABSENCE.

Mr. Webber was granted leave of absence for the day.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 710—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Also: Assembly Bill No. 455—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 619—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor.

Also: Assembly Bill No 12—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto

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. 575—An Act to provide for the exportation of non-citizen inmates of the State Hospitals for the Insane, and making an appropriation therefor.

Also: Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and of all expenses connected therewith," which became a law under constitutional provision without the Governor's approval on March 7, 1899.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

Also: Senate Bill No. 408—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States—have had the same under consideration, and respectfully report the same back, and recommend that it is not a proper matter to be considered by said committee, as it carries no appropriation.

Also: The following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $200, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly, in favor of Leo Solomon, for his services as Sergeant-at-Arms of the following committees: Roads and Highways, County and Township Governments, Counties and County Boundaries, Claims, and Attachés and Employés, from January 7, 1901, to the day of adjournment *sine die*

Have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

Also: Assembly Bill No. 551—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

Also: Assembly Bill No. 524—An Act making an appropriation to pay the claim of D. E. O'Keefe for publishing summons in foreclosing interest of delinquent purchasers of State school lands.

Also: Assembly Bill No. 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

FISK, Chairman.

Assembly Bills Nos. 710, 455, 619, and 12 withdrawn.

Resolution lost.

Report adopted.

ON MINES AND MINING INTERESTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: Your Committee on Mines and Mining Interests, to whom was referred Senate Bill No. 378—An Act fixing and defining a miner's inch of water—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

RALSTON, Chairman.

PRIVILEGES OF THE FLOOR EXTENDED.

On motion of Mr. Johnson, the privileges of the floor were extended to ex-Assemblyman E. E. Leake.

On motion of Mr. Kelley, the privileges of the floor were extended to ex-Assemblyman A. A. McKean.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 553—An Act to establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor.

Also: Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof; providing for the insertion of certain stipulations in contracts for public works; imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Also: Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Also: Assembly Bill No. 690—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 fiftieth fiscal year.

Also: Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to the compensation of county officers and the number and compensation of their deputies.

Also: Senate Committee Substitute for Assembly Bill No. 23—An Act to add three new sections to the Code of Civil Procedure, relating to the determination of adverse claims to real property.

Also: Amended, and passed as amended, Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor

Also: Amended, and passed as amended, Assembly Bill No 331—An Act to amend Section 374 of an Act to establish a Penal Code.

Also: Amended, and passed as amended, Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

Also: Amended, and passed as amended, Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the Treaty of Cahuenga was made, and appropriating money therefor

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 553—An Act to establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor.

Read first time, and referred to Committee on State Prisons and Reformatory Institutions.

Senate Committee Substitute for Assembly Bill No. 23—An Act to add three new sections to the Code of Civil Procedure, relating to the determination of adverse claims to real property.

Read first time, and made special order for Saturday, March 9, 1901.

Assembly Bills Nos. 669, 49, 690, 382, and 164 ordered to enrollment.

Assembly Bill No. 331—An Act to amend Section 374 of an Act to establish a Penal Code.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1.

Amend by inserting in Section 1, line four of the printed bill, after the word "to" the words "crimes against."

AMENDMENT No. 2.

Amend by inserting in Section 1, line thirty-nine of the printed bill, after the words "or bathes in any such" the word "stream," and by inserting a comma immediately after said inserted word "stream."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Collins, Cromwell, Dunlap, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Merritt, Miller, Myers, Radcliff, Ray, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 331 ordered to enrollment.

Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by striking out the word "immediately," in line one, Section 3, page one, printed bill, and inserting in lieu thereof the words "the first day of January, nineteen hundred and two."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chiles, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Simpson, Sutro, Treadwell, Wright, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 292 ordered to enrollment.

Assembly Bill No. 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by striking out the word "immediately," in Section 2, line one, and inserting in lieu thereof the words "January first, nineteen hundred and two."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Cavagnaro, Clarke, Cromwell, Dunlap, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irving, John, Kelley, Kincaid, Laird,

Levinson, Mattos, McWade, Melick, Milice, Miller, Radcliff, Ralston, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 477 ordered to enrollment.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No. 654—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, San Bernardino County, to sell and convey a strip or parcel of land situate in San Bernardino County, in the State of California, and belonging to said State, to the San Pedro, Los Angeles & Salt Lake Railroad Company, for the purposes of a right of way for a steam railroad thereon.

Also Passed Senate Bill No 478—An Act to provide for the marking or branding of boxes or barrels containing citrus fruit for shipment, and fixing a penalty for the violation thereof, and for the appointment of an inspector under its provisions.

Also: Senate Bill No. 253—An Act to amend Section 2955 of the Civil Code of the State of California, relating to the mortgages of personal property in the State of California.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 478—An Act to provide for the marking or branding of boxes or barrels containing citrus fruit for shipment, and fixing a penalty for the violation thereof, and for the appointment of an inspector under its provisions.

Read first time, and ordered on Senate Special File.

Senate Bill No. 253—An Act to amend Section 2955 of the Civil Code of the State of California, relating to the mortgaging of personal property in the State of California.

Read first time, and referred to Committee on Judiciary.

RESOLUTION—(CASE OF URGENCY).

By Mr. Savage:

Resolved, That Senate Bill No. 654 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.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Levinson, Mattos, Melick, Milice, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Wright, and Mr. Speaker—56.

NOES—None

Senate Bill No. 654—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, San Bernardino County, to sell and convey a strip or parcel of real property situate in San Bernardino County, in the State of California, and belonging to said State, to the San Pedro, Los Angeles & Salt Lake Railroad Company, for the purposes of a right of way and depot grounds for a steam railroad.

Read first time, and ordered to second reading.

Senate Bill No. 654—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near

the City of San Bernardino, San Bernardino County, to sell and convey a strip or parcel of real property situate in San Bernardino County, in the State of California, and belonging to said State, to the San Pedro, Los Angeles & Salt Lake Railroad Company, for the purpose of a right of way and depot grounds for a steam railroad.

Read second time, considered engrossed, and ordered to third reading.

Senate Bill No. 654—An Act to authorize and empower the Board of Managers of the Southern California State Hospital for the Insane, near the City of San Bernardino, San Bernardino County, to sell and convey a strip or parcel of real property situate in San Bernardino County, in the State of California, and belonging to said State, to the San Pedro, Los Angeles & Salt Lake Railroad Company, for the purposes of a right of way and depot grounds for a steam railroad.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bauer, Bennink, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, John, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Radcliff, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr Speaker—51.

NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 7, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the conference committee on Senate Bill No. 407—An Act to amend an Act entitled "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," approved March 31, 1897—which report recommends that the Senate concur in Assembly Amendments Nos. 1, 2, 4, and 5, and that the Assembly recede from Assembly Amendment No. 3.

Also: Concurred in Assembly amendment to Senate Concurrent Resolution No. 18—Relative to consideration of Senate and Assembly bills on March 8, 1901.

Also: Receded from Senate Amendment No. 1 to Assembly Bill No. 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

Also: Passed Assembly Bill No 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Also: Adopted Senate Concurrent Resolution No. 20—Relative to consent of the Legislature to the absence of the Governor of the State, Hon. Henry T. Gage, from the State for periods not exceeding in the aggregate six months

Also: Senate Concurrent Resolution No 21—Relative to the consent of the Legislature of absence from the State of Lieutenant-Governor J. H. Neff for a period not exceeding six months

F J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 515 and 472 ordered to enrollment.

SENATE CONCURRENT RESOLUTION NO. 20.

Relating to consent of the Legislature to the absence of the Governor of the State, Hon. Henry T. Gage, from the State for periods not exceeding in the aggregate six months.

Resolved by the Senate, the Assembly 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. Henry T. Gage, may depart from the State of California at such times as he may choose, or as necessity may require, during the remainder of his official term; *provided*, that the periods of such absence do not exceed three months during any one year.

Resolution read and adopted.

SENATE CONCURRENT RESOLUTION No. 21.

Relative to the consent of the Legislature of absence from the State of Lieutenant-Governor J. H. Neff for a period not exceeding six months.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California has consented, and does hereby consent, that Lieutenant Governor J. H. Neff may depart from the State of California at any time during the remainder of his official term as Lieutenant-Governor, and remain absent for a period not to exceed six months from and immediately succeeding the time of his departure.

Resolution read and adopted.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 50—An Act making an appropriation to the Directors of the California State Agricultural Society for the purpose of paying certain indebtedness, claims, and demands against said society.

Also: Senate Bill No. 332—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Also: Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor.

Also: Senate Bill No. 595—An Act to build and provide for the furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Committee Substitute for Senate Bill No. 50—An Act making an appropriation to the Directors of the California State Agricultural Society, for the purpose of paying certain indebtedness, claims, and demands against said society.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 332—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Read first time, and ordered on file without reference to committee.

Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 595—An Act to build and provide for the furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor.

Read first time, and referred to Committee on Ways and Means.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 248—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and commissioning of notaries public for the several counties of the State of California.

Also: Senate Bill No. 285—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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: Senate Bill No. 392—An Act concerning confirming and ratifying leases and other contracts made by any officer or board of officers of this State.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 248—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and com-

missioning of notaries public for the several counties of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 285—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Read first time, and referred to Committee on Education.

Senate Bill No. 392—An Act concerning confirming and ratifying leases and other contracts made by any officer or board of officers of this State.

Read first time, and ordered on file without reference to committee.

Also:

SENATE CHAMBER, SACRAMENTO, March 7, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 179—An Act to establish a law uniform with the laws of other States, relative to divorce procedure and divorce from the bonds of marriage.

Also: Senate Bill No. 549—An Act to amend Sections 7 and 8 of the Civil Code of the State of California, relating to legal holidays

Also: Senate Bill No. 550—An Act to amend Sections 10 and 11 of the Political Code of the State of California, relating to legal holidays

Also: Senate Bill No. 551—An Act to amend Sections 10, 11, and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days

Also: Amended, and passed as amended, Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperative associations," approved March 27, 1895—and respectfully ask the concurrence of your honorable body in said Senate amendments

Also: Refused to concur in Assembly amendments to Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Also: Refused to concur in Assembly amendments to Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889

And respectfully ask your honorable body to recede therefrom.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 179—An Act to establish a law uniform with the laws of other States relative to divorce procedure, and divorce from the bonds of marriage.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 549—An Act to amend Sections 7 and 8 of the Civil Code of the State of California, relating to legal holidays.

Read first time, and ordered on file.

Senate Bill No. 550—An Act to amend Sections 10 and 11 of the Political Code of the State of California, relating to legal holidays.

Read first time, and ordered on file.

Senate Bill No. 551—An Act to amend Sections 10, 11, and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read first time, and ordered on file.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperative associations," approved March 27, 1895.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1.

Amend by inserting after the word "association," in line three, first page, printed bill, the words "if the articles of incorporation so provide."

AMENDMENT No. 2.

Amend by inserting after the comma, following the word "membership," in line sixteen, first page, printed bill, the words "and an association organized under this Act may become a member in another such corporation."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, John, Kelley, Knight, Levinson, Macbeth, Mattos, McWade, Melick, Merritt, Milice, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Wright, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 316 ordered to enrollment.

Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

The question being, "Shall the Assembly recede from its amendments to Senate Bill No. 19?"

Mr. Stewart of San Diego moved that the Assembly do not recede from its amendments to Senate Bill No. 19.

The roll was called, and the motion not to recede adopted by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Butler, Carter, Chandler, Collins, Cowan, Dunlap, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, Johnson, John, Kelley, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr Speaker—47.

NOES—None.

Mr. Anderson of Solano moved that a conference committee be appointed on Senate Bill No. 19.

So ordered.

Messrs. Stewart of San Diego, Anderson of Solano, and Schillig were appointed as such committee.

Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

The question being, "Shall the Assembly recede from its amendments to Senate Bill No. 434?"

Mr. Guilfoyle moved that the Assembly do not recede from its amendments to Senate Bill No. 434.

The roll was called, and the motion not to recede adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Broughton, Brown of San Francisco, Butler, Carter, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Gans, Greer, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Ralston, Ray, Reeber, Rutherford, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Walker—44.

NOES—Messrs. Bennink and John—2.

Mr. Guilfoyle moved that a committee of conference be appointed on Senate Bill No. 434.

So ordered.

The Speaker appointed as such committee Messrs. Guilfoyle, Collins, and Johnson.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Senate be requested to return Senate Bill No. 170 to the Assembly, for the correction of a clerical error.

Resolution read and adopted.

MOTION TO RECONSIDER.

Mr. Bauer moved that the Assembly reconsider the vote whereby Senate Bill No. 164 was passed on last legislative day.

Mr. Sutro moved as a substitute that action be deferred until Saturday, March 9, 1901.

Mr. Guilfoyle moved to lay the whole matter on the table.

So ordered.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 232—An Act to amend Section 850 of the Code of Civil Procedure.

Also: Senate Bill No. 288—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Report the same back with the recommendation that they do pass.

Also: Assembly Bill No. 848—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians, and who are not confined at State hospitals for the insane—report the same back with eight amendments, and recommend that it do pass as amended

Also: Assembly Bill No. 501—An Act to amend Sections 726 and 729 of the Code of Civil Procedure, relating to the foreclosure and sale of mortgaged lands—report the same back with the recommendation that it do not pass.

Also: Assembly Bill No. 781—An Act to amend an Act entitled "An Act to establish a Civil Code," approved March 21, 1872, by amending Section 2955 thereof, relating to mortgages upon personal property—report the same back with the recommendation that it do pass.

Also: Assembly Bill No. 776—An Act to amend Section 1 of 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—report the same back with the recommendation that it do not pass

Also: Assembly Bill No 871—An Act providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritance would be paid if the decedent should be adjudged to have died intestate, also, providing the grounds upon which, and the time in which, such contest may be made; providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest; also, providing for the dismissal of such contest—report the same back without recommendation, by a majority vote.

JOHNSON, Chairman

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 10—Relative to donating money toward a monument to Hon. Stephen M. White—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

FISK, Chairman

Assembly Concurrent Resolution No. 10—Relative to donating money toward a monument to Hon. Stephen M. White.

The following committee amendment was submitted:

Amend printed Assembly Concurrent Resolution No. 10 by striking out all after line four, and inserting in lieu thereof the following:

Resolved by the Assembly, the Senate concurring, That the sum of $2,500 be and the same is hereby appropriated, one half from the Contingent Fund of the Senate and one half from the Contingent Fund of the Assembly, toward the erection of a monument in honor of the memory of the late Stephen M. White;

Resolved further, That the sum of $2,500 be paid to John F. Francis, and the State Controller is authorized to draw his warrants for the amount of the said $2,500, one half from the Contingent Fund of the Senate and one half from the Contingent Fund of the Assembly, and the State Treasurer is ordered to pay the said warrants so drawn.

Amendment adopted.

Assembly Concurrent Resolution No. 10 ordered "rushed" to print.

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was re-referred Senate Bill No 77—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--have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as per amendments of committee adopted March 7, 1901.

BARNES, Chairman.

MOTIONS FOR RECONSIDERATION.

Mr. Treadwell moved to reconsider the vote whereby the Assembly passed Assembly Bill No. 379 on last legislative day.

Mr. Schlesinger moved to lay matter on the table.

So ordered.

Mr. Dunlap moved to reconsider the vote whereby Assembly Bill No. 706 was on last legislative day refused passage.

Mr. Rutherford moved to lay the matter on the table.

Motion lost.

The roll was called, and Assembly Bill No. 706 reconsidered by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara. Atherton, Barnes, Bauer, Bennink, Brady, Broughton, Butler, Carter, Cavagnaro, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Gans, Gulfoyle, Haley, Hanen, Hasson, Higby, James, Johnson, John, Knowland, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Savage, Schillig, Schlesinger, Sheridan, Simpson, Sutro, and Walker—44.

NOES—Messrs. Brown of San Mateo, Irish, Kincaid, Knight, Laird, Miller, Roberts, Rutherford, Stewart of San Diego, and Stewart of Amador—10.

Mr. Dunlap moved that it be made special order for this evening.

Motion lost.

Assembly Bill No. 706 ordered to Unfinished Business File.

SPECIAL ORDER SET.

Mr. Anderson of Solano moved that the rules be suspended with reference to Assembly Bill No. 706.

So ordered.

Whereupon Assembly Bill No. 706 was made special order for this evening.

MOTIONS FOR RECONSIDERATION.

Mr. Irish moved to reconsider the vote whereby Assembly Bill No. 402 was on last legislative day passed

Mr Schillig moved to lay matter on the table.

Roll call was demanded on the question to lay on the table by Messrs. Irish, Ray, and Stewart of Amador.

The roll was called, and motion to lay on table carried by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Bliss, Broughton, Carter, Chiles, Collins, Cromwell, Dunlap, Feliz, Foster, Gans,

Hasson, Higby, Irving, James, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Schillig, Sheridan, Simpson, Stewart of San Diego, Walker, Wright, and Mr Speaker—39.

NOES—Messrs. Barnes, Brown of San Mateo, Cavagnaro, Haley, Hanen, Hubbard, Irish, Laird, Macbeth, Miller, Ray, Roberts, Rutherford, Savage, Stewart of Amador, and Sutro—16.

Mr. Ray moved that the vote whereby Assembly Bill No. 216 was on last legislative day refused passage be reconsidered.

Mr. Stewart of Amador moved to lay matter on the table.

Roll call was demanded by Messrs. Stewart of Amador, Johnson, and Ray.

The roll was called, and motion to lay on table carried by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Bliss, Broughton, Carter, Cromwell, Duryea, Fisk, Franklin, Gans, Guilfoyle, Hanen, Hasson, Higby, Knight, Knowland, McNeil, Melick, Ralston, Roberts, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Walker, and Mr. Speaker—30.

NOES—Messrs. Brown of San Mateo, Cavagnaro, Chandler, Chiles, Collins, Evatt, Feliz, Foster, Haley, Hourigan, Irish, Irving, Johnson, Kincaid, Laird, Macbeth, Mattos, McLoughlin, McWade, Miller, Myers, Ray, Reeber, Rutherford, Schlesinger, Sheridan, Williams, and Wright—28.

Mr. Guilfoyle moved to reconsider the vote whereby the Assembly passed Senate Bill No. 56 on last legislative day.

Mr. Schlesinger moved to lay the motion to reconsider on the table.

So ordered.

BILL RECALLED FROM COMMITTEE AND PLACED ON FILE.

Mr. Cromwell moved that Senate Bill No. 248 be recalled from Committee on Judiciary and placed on Senate Special File, and that Assembly Bill No. 282 (288 on file) be withdrawn.

So ordered.

COMMUNICATION.

Mr. Guilfoyle presented the following communication:

SAN FRANCISCO TYPOGRAPHICAL UNION NO. 21,
SAN FRANCISCO, CAL., February 25, 1901.

To HON. W. J. GUILFOYLE, *Sacramento, Cal.:*

DEAR SIR: Any report that San Francisco Typographical Union No. 21 has rescinded the resolutions passed at its regular meeting on January 27, 1901, is false, and is undoubtedly circulated for sinister motives.

The resolutions passed at that meeting follow:

WHEREAS, A bill (Senate Bill No. 58) is now pending in the California Legislature asking for an appropriation of $60,000 to establish a type-setting plant in the State Printing Office, the object being to dispense with hand composition; and

WHEREAS, Another measure (Senate Bill No. 56) is before the Legislature, providing that the Superintendent of State Printing shall hereafter be appointed by the Governor, instead of being elected by the voters of the State at large, as at present; therefore, be it

Resolved, That San Francisco Typographical Union No. 21 hereby emphatically protests against the passage of the above-mentioned bills, and requests labor unions and friends of organized labor generally to use all honorable means to insure their defeat.

Resolved, That copies of these resolutions be sent to all members of the Legislature, and also furnished to the press for publication

Since the passage of the above resolutions, they have been indorsed by the San Francisco Labor Council and the Building Trades Council.

Labor unions in San Francisco are a unit against making the office of Superintendent of State Printing appointive.

The Union at its regular meeting on February 24, 1901, instructed me to forward this letter to each member of the Legislature

Very respectfully yours,

H. L. WHITE,
Secretary San Francisco Typographical Union No. 21.

Ordered printed in Journal.

SPECIAL ORDER.

Senate Bill No. 142—An Act to divide the State into congressional districts, and provide for the election of members of the House of Representatives of the United States therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Irish, Johnson, John, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Walker, Wright, and Mr Speaksr—46.

NOES—Messrs. Berry, Cavagnaro, Chiles, Cowan, Feliz, Haley, Irving, James, Kincaid, Laird, Levinson, McLoughlin, Miller, Ray, Reeber, Schlesinger, Sheridan, Simpson, Sutro, and Williams—20

Title read and approved.

SENATE SPECIAL FILE.

Mr. Carter moved to substitute Senate Bill No. 584 for Senate Constitutional Amendment No. 13 on file.

So ordered.

Senate Bill No. 584—An Act to amend Section 475 of the Political Code of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irish, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Miller, Myers, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—60.

NOES—None.

Title read and approved.

Senate Bill No. 71—An Act to add a new section to the Penal Code of the State of California, to be known as Section 600½, relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Cowan, Dunlap, Duryea, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Hourigan, Irish, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, McNeil, Melick, Merritt, Milice, Myers, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—49.

NOES—Messrs. Clarke, Evatt, Guilfoyle, McLoughlin, Schlesinger, and Simpson—6.

Title read and approved.

Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property.

Read third time.

Mr. Hanen moved that a select committee of one be appointed to amend Senate Bill No. 508 as follows:

Strike out of line five, Section 1, the word "and," where it appears.

Motion lost.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Carter, Collins, Duryea, Evatt, Fisk, Gans, Guilfoyle, Irving, John, Knight, Knowland, McLoughlin, McNeil, Ralston, Savage, Schilig, Stewart of San Diego, Walker, Webber, Wright, and Mr. Speaker—28.

NOES—Messrs. Bliss, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Clarke, Feliz, Foster, Haley, Hanen, Hasson, Hubbard, James, Johnson, Kincaid, Laird, Levinson, Mattos, McWade, Melick, Myers, Radcliff, Ray, Reeber, Roberts, Sheridan, Simpson, Sutro, and Williams—30.

NOTICE OF MOTION FOR RECONSIDERATION.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 508 was this day refused passage.

TIME FOR DEBATE LIMITED.

Mr. Anderson moved that time for debate on Senate bills be limited to ten minutes, five minutes on each side of the question.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Read third time.

Mr. Anderson of Solano moved that a select committee of one be appointed to amend Senate Bill No. 277 as follows:

Insert in line thirteen, after the word "misdemeanor," the following: "*provided*, that nothing in this section shall prohibit the killing of a meadow lark by the owner or tenant of any premises where such bird is found destroying berries, fruits, or crops, growing on such premises."

The question being on the motion to appoint a select committee of one.

Roll call was demanded by Messrs. Sutro, Myers, and Johnson.

The roll was called, and motion to appoint a select committee of one to amend Senate Bill No. 277 was carried by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Berry, Brady, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Gans, Greer, Guilfoyle, Hasson, Hourigan, Hubbard, Irish, Irving, John, Kincaid, Mattos, McLoughlin, Melick, Roberts, Savage, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, and Webber—33.

NOES—Messrs Atherton, Bennink, Bliss, Brown of San Mateo, Carter, Chandler, Clarke, Haley, Higby, Johnson, Knight, Knowland, Laird, Levinson, McNeil, Merritt, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—28.

Mr. Anderson of Solano was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks—with instructions to amend, do now report that the instructions of the Assembly have been carried out.

ALDEN ANDERSON, Committee.

Report and amendment adopted.

Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds, and their eggs and nests.

Read second time.

Mr. Melick moved to amend as follows:

Strike out of Section 637½, lines seventeen and eighteen, the words "except by means of poison."

Amendment adopted.

Senate Bill No. 114 ordered to print and third reading.

Senate Bill No. 305—An Act regulating the hours of service on regular duty by members of the police departments of cities and cities and counties.

Read second time, and ordered to third reading.

Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California.

Read second time.

Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 222.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 222 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 222—An Act appropriating the sum of $611 30 to pay the claim of F. Phillips against the State of California—and do now report the same back with amendments and recommend that it do pass as amended.

PENDLETON, Chairman.

Report adopted.

Mr. Johnson moved to amend as follows:

Strike out the word "immediately," in Section 2, and insert in lieu thereof the words and figures "January first, nineteen hundred and two."

Amendment adopted.

Senate Bill No. 222 ordered to print and third reading.

Senate Bill No. 108—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read second time, and ordered to third reading.

Senate Bill No. 310—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read second time.

Mr. Cavagnaro moved to amend as follows:

Strike out of Section 6, line two, the word "seven," and insert the word "five."

Amendment lost.

Also:

Amend by striking out of Section 6 all of lines thirty-one, thirty-two, thirty-three, thirty-four, thirty five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, and forty-five, on page four.

Amendment lost.

Also:

Strike out all of Section 8.

Amendment lost.

Mr. Schlesinger moved to amend as follows:

Amend Section 3, line seven, by inserting after the word "pharmacists," "or who, prior to the passage of this Act, have had fourteen consecutive years' experience in pharmacies."

Amendment lost.

Senate Bill No. 310 ordered to third reading.

SENATE CONSTITUTIONAL AMENDMENT NO. 14.

Proposing to the people of the State of California an amendment to Article II of the Constitution of the State by adding a new section thereto, to be known as Section 6, relating to elections

The Legislature of the State of California, at its regular session, commencing on the seventh day of January, nineteen hundred and one, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes that article two of the Constitution of the State of California be amended by adding thereto a new section, to be known as section six, and reading as follows:

Section 6. The inhibitions of this Constitution to the contrary notwithstanding, the Legislature shall have power to provide that in different parts of the State different methods may be employed for receiving and registering the will of the people as expressed at elections, and may provide that mechanical devices may be used within designated subdivisions of the State at the option of the local authority indicated by the Legislature for that purpose.

Read.

The roll was called, and Senate Constitutional Amendment No. 14 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Webber, Williams, Wright, and Mr. Speaker—61.

NOES—Messrs. Collins, Roberts, and Schlesinger—3.

PRIVILEGES OF THE HOUSE EXTENDED.

Mr. Melick moved that the privileges of the House be extended to Mr. Pierce, ex-member of the Legislature—thirty-third session.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 12—An Act to validate certain acts and proceedings had under an Act of the Legislature of the State of California entitled "An Act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read second time, and ordered to third reading.

Senate Bill No. 82—An Act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons.

Read second time, and ordered to third reading.

Senate Bill No. 462—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

Read second time, and ordered to third reading.

Senate Bill No. 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—64.

NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Feliz was granted leave of absence for the remainder of the day.

Chief Clerk Lloyd was granted leave of absence for the remainder of the day, on motion of Mr. Fisk.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

Read third time.

Mr. Myers moved that a select committee of one be appointed to amend Senate Bill No. 539 as follows:

Insert after the word "thereof," in line eight of Section 2, the following: "*provided*, that not less than five per cent of all sums of money or funds provided by State taxation or special appropriation for the support and maintenance of the University of California shall be devoted to practical agricultural education."

Amendment lost.

Mr. Knowland moved that a select committee of one be appointed to amend Senate Bill No. 539 as follows:

In line one of title, strike out the word "for," after the words "to provide."

Also: In lines three and four of title, strike out all after the word "bill," in line three.

Also: In Section 2, line five, insert between the first bracket and the figure "2," a dollar sign, "$."

Motion carried, and so ordered.

Mr. Knowland was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto—with instructions to amend, do now report that the instructions of the Assembly have been carried out.

KNOWLAND, Committee.

Report and amendments adopted.

Senate Bill No. 539 ordered to print and third reading.

MOTION FOR RECONSIDERATION.

Mr. Savage moved to reconsider the vote whereby the amendments submitted by Mr. Anderson to Senate Bill No. 277 was this day adopted.

Motion lost.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 430—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board.

Read second time, and ordered to third reading.

Mr. Treadwell moved to substitute Senate Bill No. 15 (123 on file) for Committee Substitute for Senate Bill No. 140 (78 on file).

So ordered.

Senate Bill No. 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 15.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 15 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

GENTLEMEN. The Committee of the Whole have had under consideration Senate Bill No. 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, Napa County, State of California, and appropriating money therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 15 ordered to third reading.

Senate Bill No. 535—An Act authorizing and providing the means of collecting and receiving from the United States all moneys advanced, disbursed, and expended by the State of California for the benefit of the United States, including all costs, charges, and expenses properly incurred by said State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transferring its troops employed in aiding to suppress the insurrection in the United States existing on the 27th day of July, 1861, and for collecting and receiving, also, all money advanced, disbursed, and expended by said State in aid of the United States in the suppression of said insurrection which has henceforth been, or which may hereafter be, authorized by the said United States to be paid to said State, as reimbursement for any expenses or advances made by said State in aid of the said Government of the United States in the suppression of said insurrection, in whatever form said advances may have been made or said expenses may have been incurred; ratifying, also, the appointment of agents heretofore made by the Governor of this

State to collect and receive said moneys, and the resolutions under which said appointments were made, and authorizing the appointment of other agents, defining the duties and creating the powers of said agents, and fixing the compensation for their services under this Act, and directing the distribution of the moneys so collected.

Read second time.

Mr. Johnson moved to amend Senate Bill No. 535 as follows:

Amend by striking out the enacting clause.

Amendment adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 531—An Act to amend the Code of Civil Procedure by adding a new chapter to Title X of Part II thereof, to be numbered Chapter VII, embracing Sections 528 to 831*g*, inclusive, relating to actions for divorce—and was presented to the Governor this day at one o'clock and forty-five minutes P M

Also. Assembly Bill No. 503—An Act making an appropriation of $750 to pay a deficiency in the appropriation for costs and expenses of suits in which the State is a party in interest—and was presented to the Governor this day at ten o'clock and fifty minutes A. M.

Also: Assembly Bill No. 484—An Act to amend Section 290 of Civil Code, relative to articles of incorporation—and was presented to the Governor this day at one o'clock and forty-five minutes P M.

Also: Assembly Bill No. 485—An Act to amend Section 305 of the Civil Code, relating to corporations—and was presented to the Governor this day at ten o'clock and fifty minutes A. M.

Also: Assembly Bill No. 683—An Act to revise the Civil Code of the State of California, by amending certain sections, repealing others, and adding certain new sections—and was presented to the Governor this day at ten o'clock and thirty-eight minutes A. M.

G. H. ANDERSON, Acting Chairman.

SENATE SPECIAL FILE—(RESUMED).

Committee Substitute for Senate Bill No. 209—An Act to amend Section 11 of an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874.

Read second time, and ordered to third reading.

Senate Bill No. 427—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age.

Read second time, and ordered to third reading.

Senate Bill No. 563—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels, or the purchase of toll roads.

Read second time, and ordered to third reading.

Senate Bill No. 321—An Act relating to estrays, providing for taking them up, and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read second time, and ordered to third reading.

Senate Bill No. 416—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Read second time.

Mr. Guilfoyle moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 416.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 416 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 416—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 416 ordered to third reading.

Senate Bill No. 265—An Act appropriating $100,000 for the erection, equipment, and furnishing of buildings for the use of the San Francisco State Normal School.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Chiles, Clarke, Collins, Dunlap, Duryea, Fisk, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Milice, Miller, Radcliff, Ray, Reeber, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr Speaker—44.

NOES—Messrs. Carter, Chandler, Ralston, and Roberts—4.

Title read and approved.

Committee Substitute for Senate Bill No. 356—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Bateman Bros. for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Read second time, and ordered to third reading.

Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

Read second time, and ordered to third reading.

Senate Bill No. 377—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims.

Read second time, and ordered to third reading.

Senate Bill No. 479—An Act to amend Section 1000 of the Political Code, relating to appointive power of the Governor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Clarke, Collins, Dunlap, Duryea, Evatt, Fisk, Greer, Guilfoyle, Hanen, Hasson, Henry, Hourigan, Irish, Johnson, Knight, Knowland, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Miller, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—45.

NOES—Messrs. Atherton, Cavagnaro, Chiles, Cowan, Haley, James, Kincaid, Laird, Levinson, Ray, and Sutro—11.

Title read and approved.

Committee Substitute for Senate Bill No. 333—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Wm. Cronan for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Read second time, and ordered to third reading.

Senate Bill No. 571—An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the waterfront in San Francisco, California.

Read second time, and ordered to third reading.

Senate Bill No. 470—An Act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Brady, Broughton, Butler, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Guilfoyle, Hanen, Henry, Higby, Hourigan, Johnson, Kincaid, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Roberts, Rutherford, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 614—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Read second time, and ordered to third reading.

Mr. Carter moved that Senate Bill No. 447 be taken up out of order.

So ordered.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Read third time.

Mr. Carter moved that a select committee of one be appointed to amend printed Senate Bill No. 447 as follows:

Strike out of Section 1 of said bill all of subdivision twenty-seven after figures "27," and insert the following: "All that portion of the County of Santa Clara not included in the Twenty-eighth Senatorial District shall constitute the Twenty-seventh Senatorial District"

Also: Strike out of Section 1 of said bill all of subdivision twenty-eight, after figures "28," and insert the following: "All that portion of the County of Santa Clara embraced in the precincts of Agnews, Alviso, Berryessa, Cupertino, Hester, Jefferson, Mountain View number one, Mountain View number two, Mayfield number one, Mayfield number two, Milpitas, Orchard, Palo Alto, Saratoga, University, and the First, Second, and Fourth Wards of the City of San José, shall constitute the Twenty-eighth Senatorial District."

Also: On page nine, line one hundred and ten, insert after the word "avenue" the words "and Milliken Street."

Also: On page nine, line one hundred and twenty, after the words "thence along San Bruno Avenue," insert the words "and Milliken Street."

Also: On page ten, line one hundred and thirty-six, after the word "Clayton" insert the words "and Ashbury Street."

Also: On page eleven, line one hundred and seventy, after the word "Geary" insert the words "and Point Lobos Avenue."

Also: On page eleven, line one hundred and seventy-nine, after the words "Baker to Geary, Geary" insert the words "and Point Lobos Avenue."

Also: On page eleven, line one hundred and eighty-one, after the words "Frederick to Clayton, Clayton" insert the words "and Ashbury streets."

Also: Strike out of page fifteen, printed bill, line three hundred and thirty-two, the word "Hester," and insert the word "University"

Also: On page fifteen, line three hundred and forty-six, strike out the word "Cantura," and insert the word "Cantua."

Also: On page thirteen, line two hundred and seventy-three, strike out all after the word "southerly," to and including the word "line," in line two hundred and seventy-four, and insert in lieu thereof "along said westerly boundary line of the County of Alameda to the intersection of the southerly boundary line of the City of Oakland, thence easterly along said last-mentioned line."

Motion carried, and so ordered.

Mr. Carter was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

CARTER, Committee.

Report and amendments adopted.

Mr. Laird moved to appoint a select committee of one to amend as follows:

Amend by striking out the word "Inyo," after the word "Tulare," in line forty-two, page seven of the printed bill, and inserting the word "Inyo" after the word "Mono" in the list of counties to comprise the Fifty-eighth Assembly District.

Motion lost.

Senate Bill No. 447 ordered to print on "rush" order, and on file for final passage.

Mr. Knowland moved to extend time of recess until five o'clock P. M.

So ordered.

Senate Bill No. 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Read second time.

Senate Bill No. 290—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Read second time.

Senate Bill No. 149—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 304, 290, and 149.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bills Nos. 304, 290, and 149 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 290—An Act making an appropriation to pay the claim of A. 1 McSorley, for costs of suit in foreclosing suit against delinquent purchasers of State school lands

Also: Senate Bill No. 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Also: Senate Bill No 149—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

And do now report same back, and recommend that they do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bills No. 290, 304, and 149 ordered on file for third reading.

Senate Bill No. 568—An Act to amend Section 1197 of the Political Code, relating to elections.

Read third time.

Mr. James moved that a select committee of one be appointed to amend printed Senate Bill No. 568 as follows:

In lines one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, strike out the words, "To vote for a person stamp a cross (X) in the square at the right of the name," and insert in lieu thereof the following: "To vote for a candidate stamp one cross (X) with the rubber stamp in the square at the right of his name"

Motion lost.

Also:

Strike out in line fourteen, Section 1, the words "in such"; also, lines fifteen, sixteen, and seventeen, same section, and the words "said officer, and so on" in line eighteen, and insert in lieu thereof the following: "and be printed in such columns from left to right in the following order: The party which polled the highest number of votes for Governor at the last preceding general election shall be entitled to the first column, the party which polled the next highest number of votes for said officer at said election the next column, and so on."

Motion lost.

Also:

Strike out in line twenty-four, Section 1, the words "the title of the office, together"; also, lines twenty-five to forty-five, inclusive, and also the word "names" in line forty-six, same section, and insert in lieu thereof, the following: "The title of each office shall be printed in a space not less than one half nor more than three fourths of an inch in depth, and at least two, but not more than three inches in width, and shall be defined on the top and sides by heavy, and on the bottom by light, ruled lines, and shall be followed by a space for the name of each candidate for such office, one fourth of an inch in depth, defined by light horizontal ruled lines on the top and bottom and by heavy ruled lines on either side and on the bottom of the space of the last candidate for such office, in which space shall be printed the name of each candidate, and there shall be made a blank space on the right of the name of each candidate only, one half of an inch in width, enclosed by heavier dark lines, which space (called the voting square) shall be of the same depth as the space containing the name of the candidate

"Following the title of each office and in the same column therewith, there shall be printed a statement of the number of candidates to be voted for for such office, and also its direction that the person voting is entitled to vote for such number, thus: 'Voter is entitled to vote for *two* candidates.'"

Motion lost.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Barnes, Bennink, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Collins, Dunlap, Duryea, Evatt, Gans, Guilfoyle, Haley, Hasson,

Henry, Higby, Hourigan, Irish, Irving, Johnson, John, Knight, Knowland, Macbeth, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Treadwell, Walker, Webber, and Mr. Speaker—44.

NOES—Messrs. Chiles, James, Kincaid, and Laird—4.

Title read and approved.

Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties.

Read second time, and ordered to third reading.

Senate Bill No. 631—An Act to amend Section 853 of the Political Code of this State, relating to absence of officers.

Read second time, and ordered to third reading.

PRIVILEGES OF THE HOUSE EXTENDED.

Mr. George Wood, ex-member of the Assembly, was allowed the privileges of the floor, on motion of Mr. Irish.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchase of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read second time.

Mr. Dunlap moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 383.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 383 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchase of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California—and do now report the same back, with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, for the purchase of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

The following committee amendment was submitted:

Amend by striking out the word "immediately" in line one, Section 3, first page, printed bill, and inserting in lieu thereof the words: "from and after January first, nineteen hundred and two"

Amendment adopted.

Senate Bill No. 383 ordered to print and third reading.

Senate Bill No. 556—An Act to add a new section to the Penal Code, to be numbered 380*a*, relating to the regulation of the marking, identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes.

Read second time, and ordered to third reading.

Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan associations.

Read second time.

Mr. Johnson moved to amend as follows:

Amend Section 1, subdivision six, line thirty-five, by inserting after the word "property" the words "and having their principal place of business."

Amendment adopted.

Also:

Amend by striking out of Section 1, subdivision six, line thirty-four, the words "and other quasi-public," and inserting after the word "railroad," the words "or street railroad."

Amendment adopted.

Also:

Amend by striking out of Section 1, subdivision six, line thirty-three, the words "irrigation, sewer, or other."

Amendment adopted.

Also:

Amend by striking out of Section 1, subdivision four, line twenty, the word "five," and inserting the word "ten."

Amendment adopted.

Senate Bill No. 215 ordered to print and third reading.

Senate Bill No. 129—An Act to permanently locate the boundary line between the counties of Shasta and Plumas.

Read second time, and ordered to third reading.

Senate Bill No. 131—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Read second time, and ordered to third reading.

Senate Bill No. 132—An Act to change and permanently locate the boundary line between the counties of Yuba and Plumas.

Read second time, and ordered to third reading.

SENATE CONCURRENT RESOLUTION No. 14.

Approving amendments to 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 5th day of February, 1901

WHEREAS, The City of San José, a municipal corporation, in the County of Santa Clara, State of California, is now, and was at all 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 twenty-third, eighteen hundred and ninety-seven; 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 twenty-fourth, eighteen hundred and ninety-seven (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 said charter was afterwards 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, On the fifth day of March, eighteen hundred and ninety-seven, by concurrent resolution of the Senate and Assembly of the said Legislature (a majority of all the members of each house voting for and concurring therein), the said charter was ratified and approved as a whole, for and as the charter of the said City of San José, and

WHEREAS, One copy of said charter so ratified and approved was deposited in the office of the Secretary of State of the State of California; and

WHEREAS, One copy of said charter so ratified and approved was duly and regularly recorded in the office of the County Recorder of the County of Santa Clara, State of California, on the twenty-fourth day of March, eighteen hundred and ninety-seven, and was, after being so recorded, deposited in the archives of the said City of San José; and

WHEREAS, Said charter so ratified and approved has not been amended since the date of its adoption, nor within two years from the date hereof, and

WHEREAS, The Mayor and Common Council, being the legislative authority of said city, by ordinance duly and regularly passed by said Common Council in accordance with law and with the provisions of said charter on the twenty-eighth day of November, nineteen hundred, and approved by the Mayor of said city on the thirtieth day of November, nineteen hundred, did, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, propose to the qualified electors of said City of San José, certain amendments to the said charter of said city, said amendments being twelve in number; and

WHEREAS, Said ordinance so passed and approved as aforesaid, called a special election to be held on Tuesday, the fifth day of February, nineteen hundred and one, for the purpose of submitting, and submitting to the qualified electors of said city said proposed amendments to said charter; and

WHEREAS, A copy of said ordinance proposing said amendments to said charter was deposited for record in the office of the Recorder of Santa Clara County, California, on the twenty-second day of December, nineteen hundred; and

WHEREAS, Said ordinance containing said proposed amendments to said charter was, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, published for twenty days, after its passage and approval, in The San José Herald, a daily newspaper of general circulation in the City of San José; and

WHEREAS, Said special election was held in the said City of San José on Tuesday, the fifth day of February, nineteen hundred and one, which day was more than forty days after said proposed amendments had been published for twenty days as aforesaid, and

WHEREAS, On the seventh day of February, nineteen hundred and one, at a meeting duly convened in accordance with law and with the provisions of said charter, the Mayor and Common Council of the City of San José duly and regularly canvassed the returns of said special election; and

WHEREAS, At such special election so held on the fifth day of February, nineteen hundred and one, eleven of said proposed amendments were ratified by a vote of more than three fifths of the qualified electors voting thereat, and one of said proposed amendments received less than three fifths of the votes of said qualified electors; and

WHEREAS, Said Mayor and Common Council after canvassing said returns duly found and declared that eleven of said proposed amendments had been ratified by a vote of more than three fifths of the qualified electors, and that one of said proposed amendments had received less than three fifths of such votes; and

WHEREAS, The said eleven proposed amendments so ratified by the electors of said city at such election are now submitted to the Legislature of the State of California for approval or rejection, without power of alteration or amendment, in accordance with the provisions of section eight of article eleven of the Constitution of the State of California, and

WHEREAS, The said eleven amendments to said charter so ratified by the votes of more than three fifths of the qualified electors of the said City of San José voting at said election are in words and figures as follows, to wit:

Amendments to the charter of the City of San José, ratified by the votes of more than three fifths of the qualified electors voting at the special election held for that purpose on Tuesday, the fifth day of February, nineteen hundred and one:

That section one of chapter one of article two of said charter be amended so as to read as follows:

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 for city officers, and the provisions of all general laws governing special elections in municipalities applicable to all municipalities of the State or to municipalities of the third class, and not inconsistent with the provisions of this charter, are hereby adopted as the laws governing all special elections held within the city, and in all elections 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

That section four of chapter one of article two of said charter be amended so as to read as follows:

Section 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 of 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 not more than 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, the Common Council shall, by ordinance, select one of such persons to fill the office until the next general city election.

That section six of chapter two of article two of said charter be amended so as to read as follows:

Section 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

Salaries of all officers shall be payable monthly.

That section five of chapter one of article five of said charter be amended so as to read as follows:

Section 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 two of the article on revenue The money thus collected shall be allowed to accumulate in said fund until at the end of any fiscal year it shall be sufficient to meet all legal demands which may be made against the several funds during the first five months of the succeeding fiscal year The Common Council shall then by ordinance declare the finances of the city on a cash basis, direct the Treasurer to apportion the money in the Cash Basis Fund to the several funds, and further declare that the Cash Basis Fund is abolished, and that the said suspended provisions of this charter are in full force and effect Until such ordinance declaring the payment of the running expenses of the city government to be on a cash basis shall have been passed, the Mayor and Common Council are hereby given the power and authority (subject to the provisions of section one, chapter one, article five) to temporarily transfer from said Cash Basis Fund to any other fund or funds such an amount or

amounts as may be deemed necessary for the purpose of placing such fund or funds, as far as possible, on a cash basis; and the Treasurer is charged that all money so transferred from said Cash Basis Fund shall be returned to it before the end of the fiscal year.

That section six of chapter three of article five of said charter be amended so as to read as follows:

Section 6. Out of the Street Light Fund shall be paid all sums authorized to be paid for lighting the streets.

That subdivision thirteen of section five of article nine of said charter be amended so as to read as follows:

Thirteen—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.

That section nine of article nine of said charter be amended so as to read as follows:

Section 9. The Board of Education shall annually elect three of its members as a standing committee on classification. The City Superintendent of Schools shall be ex officio secretary of this committee, with no vote. It shall be the duty of the committee:

First—To recommend the assignment of the several teachers to their schools and classes, and janitors to their positions.

Second—To make themselves acquainted by personal inspection with the work of every employé of the board, and before the close of the school year to make a written report to the board stating what duties are being performed by each.

Third—To recommend in such report which employés, other than permanent teachers, shall in their judgment be retained for the ensuing year.

That section thirteen of article nine of said charter be amended so as to read as follows:

Section 13. Teachers during their first and second years of service in the department, and all special teachers, shall be classed as probationary teachers, and may be dropped from the department on the adverse report of the classification committee by a vote of a majority of the board. Teachers who have been assigned to duty for more than two years, other than special teachers, shall be classed as permanent teachers, and shall hold their positions without re-election until removed in the manner hereinafter provided. No teacher shall be removed, save at the close of the school year, who has not had at least one month's notice of such contemplated action, nor shall any teacher's salary be reduced except when there is a corresponding reduction made in all salaries in the same grade. A permanent teacher may be removed for cause by a majority vote of the Board of Education, or upon the recommendation of the City Superintendent and a vote of a majority of the board, or by a vote of four members of the board; a vote for removal shall be taken by ayes and noes, and the vote recorded in the minutes.

That section fourteen of article nine of the said charter be amended so as to read as follows:

Section 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 or high school certificate, in full force.

That a new section be added to article nine of said charter, to be known as section fifteen of article nine of said charter, and to read as follows:

Section 15. All claims payable out of the School Fund shall be filed with the secretary of the board, and before payment must be approved by a majority of all the members appointed to said board, upon a call of ayes and noes, to be recorded in the minutes.

That section one of article thirteen of said charter be amended so as to read as follows:

Section 1. The fiscal year shall begin on the first day of July until after the Common Council passes the ordinance provided for in section five, chapter one, article five, declaring the finances of the city on a cash basis, when it shall begin on the first day of December. After the change of the beginning of the fiscal year the Common Council shall by ordinance regulate the times when reports of the several boards and officers shall be made to conform to the change in the fiscal year.

STATE OF CALIFORNIA, COUNTY OF SANTA CLARA, } ss.
CITY OF SAN JOSÉ. }

This is to certify that we, C. J. Martin, Mayor of the City of San José, and J. W. Cook, City Clerk of the said City of San José, have compared the foregoing proposed and ratified amendments to the charter of the said City of San José with the original ordinance proposing such amendments and submitting the same to the qualified electors of said city at a special election called for that purpose on Tuesday, the fifth day of February, nineteen hundred and one, and find that the foregoing is a full, true, correct, and exact copy thereof, and we further certify that the facts set forth in the preamble preceding said amendments to said charter, are and each of them is true.

In witness whereof, we have hereunto set our hands and caused the same to be authenticated by the seal of said City of San José, this ninth day of February, nineteen hundred and one.

C. J. MARTIN,
[SEAL.] Mayor of the City of San José.

J. W. COOK,
City Clerk of the City of San José.

Now therefore, be it

Resolved by the Senate of the State of California, the Assembly thereof concurring (a majority of all the members elected to each house voting for and concurring herein),

That said amendments to the charter of the City of San José, as proposed to and adopted and ratified by the qualified electors of said city, be and the same are and each of them is hereby approved as a whole without amendment or alteration for and as amendments to and as part of the charter of the said City of San José, aforesaid.

Senate Concurrent Resolution No. 14 read.

The roll was called, and Senate Concurrent Resolution No. 14 adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Dunlap, Duryea, Evatt, Gans, Guilfoyle, Haley, Hanen, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Senate Bill No. 451—An Act for the payment of the fees due to trial jurors who have served as such in the Superior Court of the City and County of San Francisco under the Act of 1895.

Read second time, and ordered to third reading.

Senate Bill No. 513—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Read second time.

The following amendments were submitted:

By Mr. Laird:

Amend by striking out of Section 6, line thirty-two, all of said section after the word "printed."

Amendment adopted.

By Mr. Sutro:

After subdivision six of the printed bill add another subdivision, to read:

"7. An agreement which by its terms is not to be performed during the lifetime of the promisor, or an agreement to devise or bequeath any property, or to make any provision for any person by will"

Amendment adopted.

Senate Bill No. 513 ordered to print and third reading.

Senate Bill No. 398—An Act to pay the claim of Louise Rienzi against the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Brady, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56

NOES—Mr. Brown of San Mateo—1.

Title read and approved.

LEAVE OF ABSENCE.

Messrs. Foster, Haley, and Bauer were granted leave of absence until Monday, and Mr. Macbeth for the remainder of the day.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 640—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2757, relating to fire insurance companies.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Rutherford moved a call of the House.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Atherton, Bennink, Brady, Brown of San Mateo, Carter, Chiles, Collins, Cowan, Cromwell, Dunlap, Evatt, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—52

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Mattos moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and the bill refused passage by the following vote:

AYES—Messrs. Bennink, Brown of San Francisco, Cromwell, Dunlap, Fisk, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Myers, Ralston, Schillig, Sheridan, Stewart of Amador, Sutro, and Webber—30.

NOES—Messrs. Atherton, Brown of San Mateo, Collins, Cowan, Evatt, James, Knight, Laird, McLoughlin, Milice, Miller, Roberts, Rutherford, Savage, Stewart of San Diego, Treadwell, Walker, Williams, and Wright—19.

NOTICE OF RECONSIDERATION.

Mr. Rutherford gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 640 was this day refused passage.

Senate Bill No. 402—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom.

Read second time.

Senate Bill No. 358—An Act making an appropriation for a State prize, or trophy, to be competed for at the Third National Bund Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901.

Read second time.

Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

Read second time.

Senate Bill No. 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read second time.

Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Read second time.

Senate Bill No. 384—An Act making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to purchase three new boilers for the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read second time.

Senate Bill No. 385—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Read second time.

Mr. Dunlap moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 402, 358, 58, 606, 471, 384, and 385.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bills Nos. 402, 358, 58, 606, 471, 384, and 385 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 358—An Act making an appropriation for a State prize, or trophy, to be competed for at the Third National Bund Shooting Festival, which is to be held in Berkeley, County of Alameda, State of California, from July 14 to July 23, 1901.

Also: Senate Bill No. 384—An Act making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to purchase three new boilers for the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California

Also: Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Also: Senate Bill No. 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California

Also: Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

Also: Senate Bill No. 402—An Act making an appropriation to pay for an air compressor and a turning lathe for the State Prison at Folsom

Also: Senate Bill No 385—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

And do now report the same back, and recommend that the same do pass, except that Senate Bill No. 385 do pass as amended

PENDLETON, Chairman.

Report adopted.

Senate Bills Nos. 384, 471, 606, 58, 402, and 358 ordered to third reading.

Senate Bill No. 385—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, first page, printed bill, and inserting in lieu thereof the words "from and after January first, nineteen hundred and two"

Amendment adopted.

Senate Bill No. 385 ordered to print and third reading.

Senate Bill No. 461—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage.

Read second time, and ordered to third reading.

Senate Bill No. 229—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in this State, for the improvement of 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 Boards 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.

Mr. Brown of San Mateo moved that action be postponed and bill passed on file.

So ordered.

Senate Constitutional Amendment No. 20—A resolution proposing to the people of the State of California an amendment to the Constitution by adding a new section to Article IV thereof, relating to establishing State highways, and providing for the construction and maintenance thereof.

Placed at head of file.

Senate Bill No. 469—An Act to amend Section 110 of the Code of Civil Procedure of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 554—An Act to prohibit the paying of employés while he or they are in any public saloon, or bar-room, or restaurant.

Read second time, and ordered to third reading.

RECESS.

At four o'clock and forty-five minutes P. M., the Speaker declared a recess until eight o'clock P. M.

REASSEMBLED.

At eight o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE—(RESUMED).

Mr. Schlesinger moved to recall Senate Bill No. 120 (87 on file) for the purpose of amendment.

So ordered.

Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

Mr. Schlesinger moved to amend Senate Bill No. 120 as follows:

Amend by striking out all of Section 16, lines thirteen to forty-three inclusive, on page two, and inserting in lieu thereof the following:

"Section 16. All bonds issued under the provisions of this Act shall be of such denomination as the Sanitary Board may determine, except that no bond shall be of a less

denomination than one hundred dollars nor of a greater denomination than one thousand dollars. Said bonds shall be payable in gold coin of the United States at the office of the County Treasurer of the county wherein said district is situated, and shall bear interest at a rate not exceeding five (5) per centum per annum, which interest shall be payable semi-annually in like gold coin. Not less than one twentieth part of the total issue of bonds shall be payable each year, on a day to be specified by the Sanitary Board, but no bonds shall be payable in installments, but each bond issued hereunder shall be payable in full on the date specified therein by said board. Each bond shall be signed by the president and countersigned by the secretary of the Sanitary Board, and said bonds shall be numbered consecutively, beginning with number one (1), and shall have coupons attached referring to the number of the bond to which they are attached, which coupons shall be signed by the president and countersigned by the secretary of said board. The bonds must be disposed of by the Sanitary Board in such manner and in such quantities as may be determined by said board in its discretion, but no bonds must be disposed of for less than its face value. The proceeds of such sales shall be deposited with the County Treasurer, and shall be by him placed in the fund to be called the Sewer Construction Fund of —— Sanitary District (naming it); the money in such fund shall be used for the purpose indicated in the order calling the election upon the question of the issuance of the bonds, and for no other purpose; *provided*, that if after such purposes are entirely fulfilled any balance remain in such fund, such balance may, upon the order of the Sanitary Board, be transferred to either of the other funds provided by this Act. If the result of the election be against the issuance of bonds no other election upon the question shall be called or held for a period of one year Whenever the entire amount of bonds issued by any one district under the provisions of the Act of which this is amendatory shall be presented by the holder or holders thereof to the Sanitary Board of the Sanitary District issuing the same, there shall be exchanged therefor and issued in lieu thereof to such holder or holders, by the Sanitary Board, bonds issued in accordance herewith for the various installments payable on the so surrendered bonds, and said new bonds so issued in exchange for said old surrendered bonds shall be payable at the same times and place as the installments due under the old bonds, it being the intention hereof to permit the surrender of sanitary district bonds heretofore issued payable in installments by the holders thereof, and the exchange therefor of a like amount of bonds of such Sanitary District having a denomination equal to the installments payable under one or more of the bonds heretofore issued by any one Sanitary District; said new bonds to be payable at the same time as said installments and in equal amounts; the amount of said new bonds to be payable in any one year to equal the amount of the installments on said old bonds payable in such year. All expenses of the exchange shall be borne by the holder of the bonds presented for exchange, and interest on the new bonds shall be paid at the same time and rate as on the old bonds. Upon such exchange being effected the old bonds shall be canceled by punching holes in the signatures thereto attached, and shall be retained by the Treasurer of said county as evidence of such cancellation "

Amendment adopted.

Senate Bill No. 120 ordered to print and third reading.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 555—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries, and making an appropriation therefor

Also: Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass

FISK, Chairman

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901

MR SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 110—An Act to enforce the educational rights of children, and providing penalties for violation of the Act.

Also Senate Bill No 285—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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'"

Have had the same under consideration, and respectfully report the same back, with amendments, and recommend that same do pass as amended.

GANS, Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 706—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Fisk, Franklin, Gans, Greer, Haley, Hanen, Hasson, Henry, Higby, James, Johnson, John, Knowland, Levinson, Mattos, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Reeber, Schillig, Sheridan, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—44

NOES—Messrs. Barnes, Brown of San Mateo, Collins, Duryea, Evatt, Guilfoyle, Kincaid, Knight, McLoughlin, Roberts, Rutherford, and Stewart of San Diego—12.

Title read and approved.

Mr. Fisk moved to take up messages from the Governor.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 8, 1901.

To the Assembly of the State of California:

I herewith return to your honorable body, without my approval, Assembly Bill No. 427, entitled "An Act to amend Section 3825 of the Political Code," and Assembly Bill No. 320, entitled "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 3849, and to amend Sections 3804, 3825, and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made."

My reason for returning these bills for your further consideration is that Section 3825 of the Political Code is amended in each bill, and the amendments proposed differ materially from each other and change the present law, and I desire before considering the other amendments proposed in Assembly Bill No. 320 that your honorable body should reconcile the differences between the proposed bills.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 8, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 588, entitled "An Act to amend Section 180 of the Penal Code of the State of California, approved February 10, 1899, relating to the bringing into State prisons, jails, reformatories, etc., opium, morphine, cocaine, or other narcotics, intoxicating liquors, firearms, etc."; No. 425, entitled "An Act regulating the hours of service on regular duty by members of the police department of cities of the first class and cities and counties"; and No. 24, entitled "An Act making an appropriation to pay the claim of the American Type Founders' Company, as an assignee, for publishing the proposed constitutional amendments."

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in Journal.

Mr. Butler moved that Assembly Bill No. 293 be taken up out of order and read second time.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 293—An Act to provide for the use of automatic vote registering and recording machines at all elections to be held within the State of California.

Read second time, and ordered to third reading.

SECOND READING OF SENATE BILL.

Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections, of the Napa State Hospital at Napa.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 415.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 415 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections, of the Napa State Hospital at Napa—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 415 ordered to third reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Cromwell, Dunlap, Duryea, Evatt, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Mattos, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—50.

NOES—Mr. Cavagnaro—1.

Title read and approved.

Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

Read second time.

Assembly Bill No. 761 ordered to engrossment and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 652—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Assembly Bill No 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, regulating the salaries and compensation of county and township officers in counties of the twentieth class.

Assembly Bill No. 546—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 parents to the counties from which their children are committed," approved March 26, 1895.

Assembly Bill No 694—An Act to provide for the location, construction, and maintenance of a State highway, connecting the highway system of Humboldt County with the highway system of Shasta County, and placing the same under the management and control of the Department of Highways, and making an appropriation therefor

Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Assembly Bill No 845—An Act to amend an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursements of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

FRANKLIN, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 832—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, and Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Reeber, Rutherford, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cowan, Dunlap, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 684—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it was alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee, may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property or any part thereof so that the purchaser, incumbrancer, mortgagee, or grantee, or pledger of such property will take, own, and possess such property unaffected by such action and suit, or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment, in said action, upon the said undertaking.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Cowan, Evatt, Fisk, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Myers, Radcliff, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—48

NOES—None

Title read and approved.

At nine o'clock and five minutes P. M., Speaker pro tem. Ralston was called to the chair.

Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Dunlap, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Wright—55.

NOES—None.

Title read and approved.

Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Dunlap, Evatt, Fisk, Franklin, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers,

Radcliff, Ralston, Roberts, Rutherford, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—52.
NOES—None.

Title read and approved.

Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Read second time.

Mr. Broughton moved to amend as follows:

Amend by striking out of Section 1. line three, the word "package."

Amendment adopted.

Also:

Amend by striking out of Section 2 all of line two after the word "misdemeanor," and all of lines three, four, and five, and inserting a period after the word "misdemeanor," in line two of Section 2.

Amendment adopted.

Assembly Bill No. 880 ordered to print, engrossment, and third reading.

Senate Bill No. 319—An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California, providing penalties for the violation thereof, and to repeal an Act now in force relating to the same and known as "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.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Chiles, Collins, Dunlap, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—45.
NOES—Mr. Anderson of Solano—1.

Title read and approved.

Mr. Cavagnaro moved that Assembly Bill No. 866 (448 on file) be substituted for Assembly Bill No. 604 (152 on file).

So ordered.

Assembly Bill No. 866—An Act to prevent the sale of drugs, chemicals, or pharmaceutical preparations under one roof, known as department stores, in municipal corporations of the first class.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 766 (Committee Substitute for Assembly Bill No. 136)—An Act to amend Section 1665, and to repeal Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Chiles, Collins, Dunlap, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Rutherford, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—45.
NOES—Mr. Roberts—1.

Title read and approved.

Assembly Bill No. 440—An Act to amend Sections 25 and 52 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to powers of Supervisors of counties.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Reeber, Rutherford, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—50.

NOES—Messrs. Greer and Roberts—2.

Title read and approved.

Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking, in case any objection made is sustained by the court, or admitted.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Dunlap, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, Melick, Milice, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 543—An Act regulating the hours of service on regular duty by members of the fire department of cities, and cities and counties.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Broughton, Brown of San Francisco, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Milice, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Mr. Brown of San Francisco moved to extend the time of evening session until ten o'clock and thirty minutes P. M.

So ordered.

Mr. McWade moved a call of the House.

So ordered.

Mr. McWade moved that further proceedings under call of the House be dispensed with, but that the doors should be kept closed and all unexcused absentees arrested and brought before the bar of the House.

Mr. Collins moved that the Sergeant-at-Arms be instructed to open the doors.

So ordered.

Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Radcliff, Ralston, Reeber, Roberts, Rutherford, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—53.

NOES—Messrs. Cowan, Myers, Schlesinger, Sheridan, and Williams—5

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your Committee on Rules and Regulations report the following temporary rule:

That at the morning session of the Assembly, to be held on Saturday, March 9, 1901, the order of business shall be the consideration of the Third-Reading File, and no other business shall be transacted at said session, except by unanimous consent.

That at the session to be held in the afternoon of said day the order of business shall be the consideration of the Second-Reading File, and no other business shall be transacted at said session, except by unanimous consent.

DUNLAP, Chairman.

Report read and adopted.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 707 (Committee Substitute for Assembly Bill No. 424)—An Act to amend Section 3521 of the Political Code of the State of California, relating to the time when patents for State lands can be issued.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Radcliff, Ralston, Roberts Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—55

NOES—Mr Myers—1.

Title read and approved.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., the Speaker declared the House adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 9, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John. Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—76.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Mattos, further reading of the Journal was dispensed with.

PETITION.

Mr. Myers presented the following petition:

WHEREAS, The committee appointed by the Senate at the thirty-second session of the Legislature to make an examination of State institutions, in referring to the Board of State Harbor Commissioners, reports: "There is no occasion whatever for a superintendent of the Ferry building, except to give some one a place, the law placing the superintendency of that building in the Chief Wharfinger"; and

WHEREAS, The commission now has a man on its payroll at $100 per month as superintendent of the Ferry building; and

WHEREAS, This Senate report further says: "There is no occasion for the employment of any police force by the Harbor Commission in the City of San Francisco, as it is the duty of the city and its police department to take care of all property within the city, and there is no authority of law and no necessity, so far as your committee can learn, for the maintenance of any such force"; and

WHEREAS, The commission now has in its employ two policemen at $75 per month; and

WHEREAS, Said report further says: "Watchmen are maintained upon the wharves, which is an unnecessary expense, the claim being made that because the State does not insure its property, it becomes necessary to employ watchmen to guard it. Your committee is of the opinion that there is nothing substantial in this claim On all the wharves occupied to any great extent by transportation companies, they themselves keep a watchman for the protection of their own property, and certainly the State has no occasion to keep one itself under such circumstances, and there is no occasion for the employment of these watchmen that your committee is advised of", and

WHEREAS, The commission now employs three watchmen at a salary of $75 per month; and

WHEREAS, Howard C. Holmes, Chief Engineer of the commission, in his report to the board for the two fiscal years ending June 30, 1900, says: "In the years 1899 and 1900 the number of cars switched on the Belt Railroad was 48,600, at an actual cost of about $1 25 per car, or at a loss of fifty cents per car for every car switched," thus showing a loss of over $12,000 per annum in this one item alone; and

WHEREAS, Grave charges of extravagance and unbusiness-like methods of management have been preferred against the Board of State Harbor Commissioners of San Francisco, not alone by the public press, but by reputable citizens and the Chamber of Commerce of San Francisco; therefore, be it

Resolved by Tulare Grange No. 198 of the Order of Patrons of Husbandry, That we the members of said grange, individually as taxpayers and citizens, and collectively as

an organization, having the welfare of our State, and especially the agricultural interests thereof, at heart, do most earnestly, yet respectfully, request the Legislature of California at its present session to take some action looking towards the thorough and impartial investigation of the management of said commission, and we would suggest that a hold-over committee be appointed for this purpose in order that it may make a complete examination of the affairs of the commission and report to the next session of the Legislature. And we would suggest to the Legislature the advisability, in case such a committee is appointed, of placing men thereon of known integrity and ability (and we believe there are such among even our much abused legislators), for, we believe, if an attempt is made to whitewash or smother this thing, the day will come when it will "smell to high heaven" and be investigated by "the people," and when that day does come, woe betide the men and party who attempt to smother it, and be it further

Resolved, That a copy of this resolution, duly signed by the secretary of this grange, stamped with the seal thereof, and countersigned by the master, be forwarded to R H Myers, our representative in the State Legislature at Sacramento, with the request that he lay this matter before the Legislature and urge its investigation; and be it further

Resolved, That every subordinate grange in California be asked to urge their representatives in the Legislature to take similar action, inasmuch as this is a matter that touches the pockets of every producer in the State.

F. H STILES, Master
MRS. BERTHA I MORRIS, Secretary
Box 170, Tulare City, Cal

Ordered printed in Journal.

REPORTS OF STANDING COMMITTEES.

ON STATE PRISONS AND REFORMATORY INSTITUTIONS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: Your Committee on State Prisons and Reformatory Institutions, to whom was referred Senate Bill No 553—An Act to establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor—have had the same under consideration, and respectfully report the same back without recommendation.

IRISH, Chairman

Senate Bill No. 553 referred to Committee on Ways and Means.

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1901.

MR SPEAKER: Your Committee on County and Township Governments, to whom was referred Senate Bill No. 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended

Also: Senate Bill No. 386—An Act to amend Section 56 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, relating to officers of a township—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

McWADE, Chairman.

LEAVE OF ABSENCE.

Leave of absence was granted to Messrs. Macbeth, Ray, and Franklin for the day, and to Mr. Collins until Monday.

BILL TAKEN UP OUT OF ORDER.

Mr. Savage asked and was granted unanimous consent to have Assembly Bill No. 856 taken up for consideration out of order.

Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Broughton, Brown of San Mateo Carter, Chandler, Chiles, Dunlap, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson,

Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Reeber, Roberts, Savage, Schilig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Senate Committee Substitute for Assembly Bill No. 23—An Act to add three new sections to the Code of Civil Procedure, relating to the determination of adverse claims to real property.

Read.

The question being, "Shall the Assembly concur in following Senate Committee Substitute for Assembly Bill No. 23, as an amendment?"

SENATE COMMITTEE SUBSTITUTE FOR ASSEMBLY BILL No. 23.

An Act to add three new sections to the Code of Civil Procedure, relating to the determination of adverse claims to real property

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. There is hereby added to the Code of Civil Procedure of said State a new section, to be numbered seven hundred and forty-nine, to read as follows:

Section 749. If, in an action to determine an adverse claim to real property, it appears by a verified complaint that the plaintiff, or the plaintiff and his predecessors in interest, have been for twenty years prior to filing such complaint in the actual and exclusive possession of such property in his or their own right, holding and claiming the same adversely to all other persons, and that, in addition to the defendant named in the complaint, there is or may be some other person or persons whose names are unknown to him who claim some estate or interest in such property adversely to him, the clerk must issue a summons, which must contain the matters required by section four hundred and seven, and, in addition thereto, a description of the property, and a direction that all persons claiming any estate or interest therein appear and answer the complaint within thirty days after the service thereof.

SEC. 2. There is hereby added to the Code of Civil Procedure of said State a new section, to be numbered seven hundred and fifty, to read as follows:

Section 750. The court at any time after the issuing of the summons mentioned in the preceding section may make an order that it be served as against all unknown owners and all persons not named in the complaint who claim any estate or interest in the property, by posting a copy thereof in a conspicuous place on such property, and by publication for the time and in the manner designated in section four hundred and thirteen. With respect to the defendants whose names are stated in the complaint, the summons must be served as in other cases.

SEC. 3. There is hereby added to the Code of Civil Procedure of said State a new section, to be numbered seven hundred and fifty-one, to read as follows:

Section 751. When summons has been served as provided in the preceding section and the time for answering has expired, the court has jurisdiction to examine into and determine the legality of plaintiff's title and of the title and claim of all unknown claimants and of all other persons, and to that end must not enter any judgment by default, but must, in all cases, require evidence of the plaintiff's title and possession and hear such evidence as may be offered respecting the claim and title of any other person and must thereafter direct judgment to be entered in accordance with the evidence. The judgment when entered is conclusive against all the parties named in the summons and upon whom it has been served, and also against all unknown claimants and all other persons, other than this State or the United States, and excepting persons whose title or estate is disclosed by the records in the office of the County Recorder of the county wherein the property is situated, and who have not been made parties to the action.

The roll was called, and the Assembly concurred in Senate Committee Substitute for Assembly Bill No. 23, as an amendment, by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Dunlap, Gans, Greer, Gulfoyle, Hasson, Higby, Irish, Irving, John, Kincaid, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Reeber, Roberts, Savage, Schilig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—43.

NOES—Messrs. Cowan and Laird—2

Assembly Bill No. 23 ordered to enrollment.

SENATE BILL TAKEN UP OUT OF ORDER.

Mr. Johnson asked and was granted unanimous consent to have Senate Bill No. 432 taken up for consideration out of order.

Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and all expenses connected therewith," which became a law under constitutional provision without the Governor's approval in March, 1899.

Read second time.

Mr. Johnson moved to amend Senate Bill No. 432 as follows:

Amend by striking out from the word "if," in line five of Section 3 of printed bill, to and including the word "thereto," in line ten of Section 3 of printed bill, and inserting in lieu thereof the following: "*provided, however*, that said residence shall not be erected on the State Capitol Park; *and provided further* that they shall have the power to purchase a site and to make all contracts in relation thereto"

Amendment adopted.

Senate Bill No. 432 ordered to print and third reading.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 245—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court

Also: Assembly Bill No. 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble-Minded Children, and providing for the expenditures thereof.

Also: Assembly Bill No. 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda.

Also: Assembly Bill No. 124—An Act to provide for the construction of a State highway or model wagon road from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock and granite or stone blocks for drains and culverts therefor.

Also: Amended, and passed as amended, Assembly Bill No. 41—An Act to provide for a segregated hospital building and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley—and respectfully ask the concurrence of your honorable body in said Senate amendments

Also. Assembly Bill No. 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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.

Also: Refused adoption to Assembly Constitutional Amendment No. 19—Proposing that Section 1 of Article II of the Constitution of California, relating to the rights of citizens in voting, be amended by extending the right to vote to females over the age of twenty-one years for the purpose of electing school trustees, boards of education, or for voting upon issuance of school bonds or the levy of school taxes

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 245—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court.

Read first time, and referred to Committee on Ways and Means.

Assembly Bills Nos. 505, 807, 124, and 435 ordered to enrollment.

Assembly Bill No. 41. ordered to unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital situated in the City of Stockton

Also: Assembly Bill No. 584—An Act to provide for the location, construction, and maintenance of a State highway commencing at a point in Contra Costa County at or near the residence of W. H. Buckley on the Fish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel in Alameda County; creating the Alameda-Contra Costa Highway Fund; prescribing the duties of the various officers in connection therewith, and making an appropriation therefor

Also: Assembly Bill No. 93—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State.

Also: Amended, and passed as amended, Assembly Bill No. 764—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor.

Also: Assembly Bill No. 249—An Act to provide for the location, construction, and maintenance of the State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor.

Also: Assembly Bill No. 737—An Act making an appropriation of $2,500 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to repair the boilers in the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Also: Assembly Bill No 812—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, 2094; to repeal Sections 1981, 1983, 1990, 1992, 2032, and to add a new section, to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard.

Also: Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands, to purchase dairy cows for the use of said hospital.

Also: Adopted Assembly Constitutional Amendment No. 25—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 17 of Article XX, relating to the hours of labor on public work.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bills Nos. 422, 584, 93, 565, 249, 737, 812, 198, and Assembly Constitutional Amendment No. 25 ordered to enrollment.

Assembly Bill No. 764—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections.

The question being, "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 764?"

AMENDMENT No. 1.

Strike out from line three of Section 83 of the printed bill the word "absinthe."

AMENDMENT No. 2.

After line eight of Section 97, page thirty-five, insert the following:
"SEC. 99*a*. A new section is hereby added to said code, to be numbered 369*i*, to read as follows."

AMENDMENT No. 3.

After line nine of Section 369*a*, page thirty-five of the bill, insert the following:
"SEC. 97*b*. A new section is hereby added to said code, to be numbered 369*j*, to read as follows."

AMENDMENT No. 4.

Amend the bill, on page forty-three thereof, by striking out the whole of Section 116.

AMENDMENT No. 5.

In Section 310 of the bill, page one hundred and two, strike from line two the word "fourteen," and in place thereof insert the word "forty-one."

AMENDMENT No. 6.

On page one hundred and nineteen of the bill, second line from the bottom, strike out the figures "648," and insert in place thereof the figures "649"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 764 by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Childs, Cromwell, Dunlap, Duryea, Gans, Guilfoyle, Hasson, Irish, Irving, Johnson, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Ralston, Reeber, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Webber, Wright, and Mr. Speaker—43.
NOES—Mr. Walker—1.

Assembly Bill No. 764 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 8, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, in compliance with your request, herewith returns for correction Senate Bill No 170—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.

Also: Appointed, as a committee of conference, Senators Shortridge, Leavitt, and Curtin to confer with a like committee from the Assembly on Assembly amendments to Senate Bill No 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Also:

SENATE CHAMBER, SACRAMENTO, March 9, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Also: Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries, prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appropriation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put, directing of what funds the School-Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools.

Also: Refused passage to Assembly Bill No. 504—An Act to amend Section 330 of the Penal Code.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 603—An Act amending Section 1521 of the Political Code by adding new subdivisions thereto, relating to the State Board of Education; providing for the appointment of a Text-Book Commissioner, and the formation of a Board of Text-Book Commissioners; prescribing their duties, and fixing their compensation; providing for the publication of a uniform series of text-books; providing for the use of

same in the common schools of the State; making an appropriation and authorizing the use of money derived from sale of text-books for carrying out the purpose of this Act; repealing Sections 1519, 1663, 1665, 1666, and 1874 of the Political Code.

Read first time, and ordered on file without reference to committee.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON COUNTY AND TOWNSHIP GOVERNMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: Your Committee on County and Township Governments, to whom was referred Assembly Bill No 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

McWADE, Chairman.

SUSPENSION OF RULES.

Mr. McWade moved that the rules be suspended and that the Assembly now consider Assembly Bill No. 576.

So ordered.

Assembly Bill No. 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Read second time.

The following committee amendment was submitted:

Amend by striking out all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section one hundred and sixty (160) of an Act entitled "An Act to establish a uniform system of county and township governments," approved April first, eighteen hundred and ninety-seven, is hereby amended so as to read as follows:

Section 160 In counties of the third class the county officers shall receive as compensation for the services required of them by law, or by virtue of their office, the following salaries:

1. The County Clerk, four thousand ($4,000) dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the County Clerk one chief deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, four court-room deputies, whose salaries are hereby fixed at the sum of fifteen hundred dollars per annum each, 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; one deputy, whose salary is hereby fixed at the sum of nine hundred dollars per annum, and one copyist, whose salary is hereby fixed at the sum of nine hundred dollars per annum; the chief deputy, eight deputies, and one copyist herein provided for shall be appointed by the Clerk of said county, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of County Clerk; *provided further*, that in such years as the compilation of a great register of voters is required by law to be made, the County Clerk, in counties of this class, shall be and he is hereby allowed the following additional help:

One clerk for a period of and not exceeding six months, whose salary is hereby fixed at one hundred and twenty-five dollars per month; four clerks, for a period of and not exceeding four months, whose salaries are hereby fixed at one hundred dollars each per month. Such clerks shall be appointed by the County Clerk of such counties, and during their respective periods of employment their salaries shall be paid by such county in equal monthly installments at the same time and in the same manner and out of the same fund as is the salary of the County Clerk of such counties

2 The Sheriff, four thousand dollars per annum; *provided*, that there shall be and hereby is allowed to the Sheriff one under sheriff, whose salary is hereby fixed at the sum of two thousand four hundred dollars per annum; one chief jailer, whose salary is hereby fixed at the sum of fifteen hundred dollars per annum; two assistant jailers, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, five deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and a jail matron, whose salary is hereby fixed at six hundred dollars per annum; the under sheriff, chief jailer, assistant jailers, and five deputies herein provided for

shall be appointed by the Sheriff of said county, and the jail matron shall be appointed by the Sheriff, and their salaries shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Sheriff; *provided*, that in counties of this class the Sheriff shall be allowed no compensation or profit for feeding prisoners in the county jail, but that he shall file, monthly, with the County Auditor, a verified statement, showing the names of persons and amounts paid to each for expense of feeding such prisoners, and the Sheriff shall thereupon pay over to the County Treasurer, for the use of the county, any difference between the amount allowed for such purpose by the Supervisors and the amount actually expended by him therefor. The Sheriff shall also receive the amount of money necessarily expended by him in serving all process and notices, and all expenses necessarily incurred by him in the pursuit of criminals within his county, and the same shall be a charge against the county, and allowed as such by the Board of Supervisors, and paid as other county charges are paid.

3 The Recorder, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Recorder the following deputies and copyists, who shall be appointed by the Recorder of said county, and shall be paid salaries and compensation as follows: One chief deputy, at a salary of eighteen hundred dollars per annum, one index clerk, whose salary is hereby fixed at fifteen hundred dollars per annum; two deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars per annum each, and one mortgage deputy, whose salary is hereby fixed at twelve hundred dollars per annum; *provided further*, that the chief deputy, index clerk, two deputies, and one mortgage deputy herein provided for shall be appointed by the Recorder of said county, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the Recorder; *provided further*, that in counties of this class the Recorder shall be entitled to the actual cost incurred by him for the recording of all papers and documents in his office not exceeding six and one half cents per folio for each paper or document so recorded; *and provided further*, that said Recorder shall file monthly, with the County Auditor, a verified statement, showing in detail the persons and the amounts paid to each for such recording

4 The Auditor, thirty-six hundred dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Auditor one chief deputy, who shall be appointed by the Auditor of said county, and whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, one deputy, who shall be appointed by the Auditor of such county, and whose salary is hereby fixed at the sum of twelve hundred dollars per annum, one clerk, whose salary is hereby fixed at the sum of nine hundred dollars per annum, and such additional assistance as the Auditor may require, and whose compensation shall not in the aggregate exceed the sum of one thousand dollars per annum; *and provided*, that the Auditor shall file with the County Clerk a verified statement, showing in detail the amounts paid, and the persons to whom said compensation is paid, for such extra assistance as aforesaid. The salaries herein provided for shall be paid by the said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Auditor.

5. The Treasurer, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the Treasurer one chief deputy whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, and one deputy, whose salary is hereby fixed at the sum of twelve hundred dollars per annum, which sums shall be paid by said county in equal monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Treasurer; *provided*, that the chief deputy and the deputy herein provided for, shall be appointed by the Treasurer of such counties.

6. The Tax Collector, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector one chief deputy, whose salary is hereby fixed at the sum of eighteen hundred dollars per annum, and two deputies, whose salaries are hereby fixed at the sum of twelve hundred dollars each per annum; *provided further*, that there shall be and there hereby is allowed to the Tax Collector one extra deputy for the month of April of each year, whose salary shall be one hundred dollars for such month, and three extra deputies for the month of July of each year, whose salaries shall be one hundred dollars each for such month, and five extra deputies for the month of August of each year, whose salaries shall be one hundred dollars each for such month, and six extra deputies for the month of September of each year, whose salaries shall be one hundred dollars each for such month, and seven extra deputies for the month of October of each year, whose salaries shall be one hundred dollars each for such month, and nine extra deputies for the month of November of each year, whose salaries shall be one hundred dollars each for such month; *provided further*, that the chief deputy, and all other deputies herein provided for, shall be appointed by the Tax Collector of said county, and the salaries of said chief deputy and all other deputies herein provided for shall be paid by said county during the time which they shall hold office, as herein provided, at the same time and in the same manner and out of the same fund as the salary of the Tax Collector

7. The License Collector shall receive fifteen per cent of all licenses collected by him

8. The Assessor, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Assessor the following deputies, who shall be appointed by the Assessor and shall be paid salaries as follows: One chief deputy assessor, at eighteen hundred dollars per annum; one second deputy assessor, at

fifteen hundred dollars per annum; one mortgage deputy assessor, at twelve hundred dollars per annum, and one transfer deputy assessor, at a salary of twelve hundred dollars per annum; six field deputy assessors for not exceeding four months in any one year, at one hundred dollars each per month; seven outside field deputy assessors for not exceeding four months in any one year, at a salary of one hundred and twenty-five dollars each per month; one cashier for not exceeding six months in any one year, at a salary of one hundred and twenty-five dollars per month; eight copyists for not exceeding four months in any one year, at a salary of one hundred dollars each per month; five extra deputy assessors for not exceeding four months in any one year, at a salary of one hundred dollars each per month, and such additional assistance as the Assessor may require, and whose compensation shall not in the aggregate exceed the sum of three thousand dollars per annum, *and provided*, that the Assessor shall file with the County Auditor a verified statement showing in detail the amounts paid and the persons to whom such compensation is paid for such extra assistance, as aforesaid The salaries of the deputy assessors, copyists, and cashier herein provided for shall be paid by the said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Assessor is paid.

It is hereby further provided that in counties of this class the Assessor shall receive no commission for his collection of taxes on personal property, nor shall such Assessor receive any compensation or commission for the collection of poll-taxes or road poll-taxes, nor shall the said Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty as provided by section nineteen hundred and one of the Political Code, *provided, however*, that should the Assessor be directed by any law, or by any order of the Board of Supervisors, or by any municipality within said counties of the third class, to prepare maps, plats, block-books for the use of the county, or assessment rolls for the use of any municipality, then said Assessor shall only receive the actual cost by him incurred in making or preparing such maps, plats, block-books, or assessment rolls; *and provided further*, that he shall file with the County Auditor a sworn statement showing the persons to whom, and the amounts paid to each, for such maps, plats, block-books, or any such assessment rolls, and that he shall account forthwith and pay over to the county any difference between such cost and the amount so allowed by him for such work

9. The District Attorney, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the District Attorney one chief deputy district attorney, whose salary is hereby fixed at two thousand dollars per annum; three deputy district attorneys, whose salaries are hereby fixed at fifteen hundred dollars per annum each, and one clerk, whose salary is hereby fixed at the sum of twelve hundred dollars per annum; *provided further*, that the chief deputy district attorney, and three deputy district attorneys, and clerk shall be appointed by the District Attorney, and their salaries shall be paid by said county in equal monthly installments at the same time and in the same manner and out of the same fund as the salary of the District Attorney.

10 The Coroner, such fees as are now or may hereafter be allowed by law, *provided*, that the Coroner shall be paid by such counties in the same manner and out of the same fund as such fees are now paid, the sum of two dollars for each certificate of the cause of death made by him

11. The Public Administrator, such fees as are now or may hereafter be allowed by law.

12 The County Superintendent of Schools, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the County Superintendent of Schools one assistant superintendent of schools and one deputy, who shall be appointed by the County Superintendent of Schools of said county and whose salaries shall be as follows: The salary of the assistant shall be one hundred dollars per month, that of the deputy shall be seventy-five dollars per month These salaries shall be paid out of the same fund and in the same manner as the salary of the County Superintendent of Schools is paid.

13. The Surveyor shall receive ten dollars per day for all work performed for the county, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that whenever the Surveyor is directed or charged to make, plat, trace, or otherwise prepare maps, plats, or block-books for the use of the county, city and county, or any municipality within such county, then such County Surveyor shall only be allowed, in addition to the actual cost and expense of making, platting, tracing, or otherwise preparing such maps, plats, or block-books, a compensation to be determined by the Board of Supervisors, not exceeding the sum of ten dollars per day while he is actually so employed; *and provided further*, that such County Surveyor shall file with the County Auditor a sworn statement, showing in detail the amounts so paid and the persons to whom such amounts have been so paid for such expense as aforesaid.

14. Justices of the Peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than twenty-five thousand, two hundred and twenty-five dollars; in townships having a population of more than nineteen thousand and less than twenty-five thousand, one hundred and thirty-five dollars; in townships having a population of fifteen thousand and less than nineteen thousand, one hundred and fifteen dollars; in townships having a population of one thousand and less than fifteen thousand, seventy-five dollars. In addition to the compensation received in

criminal cases each Justice of the Peace may receive and retain 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 Each Justice of the Peace must keep a book, open for the inspection of the public, during office hours, in which must be entered at once and in detail the amount of all fines collected by him in criminal cases, and on the first Monday of each and every month he must pay such fines so collected into the county treasury, or city treasury, as provided by law.

15 Constables shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as other county officers are paid, which shall be in full for all services rendered by them in criminal cases: In townships having a population of more than twenty-five thousand, one hundred and fifty dollars; in townships having a population of more than nineteen thousand and less than twenty-five thousand, ninety dollars; in townships having a population of fifteen thousand and less than nineteen thousand, eighty dollars; in townships having a population of one thousand and less than fifteen thousand, eighty-five dollars. In addition to the compensation received in criminal cases each Constable may receive and retain for his own use such fees as are now or may hereafter be allowed by law for all services performed by him in civil cases; *provided*, that in counties of this class Constables shall be and they are hereby allowed such expenses as are actually and necessarily incurred by them in conveying prisoners to and from the county jail; such expenses to be itemized and presented as a claim against the county and to be audited and allowed by the Board of Supervisors, and paid out of the county treasury in the manner as are other claims.

16. Each Supervisor, one hundred and twenty-five dollars per month, and mileage at ten cents per mile for each mile actually traveled in going to and from their residence to the county seat, or in the performance of the duties required of them by law or by virtue of their office, *provided*, that in attending sessions of the board only four mileages shall be allowed for each month, and that the total mileage allowed shall not exceed one hundred dollars in any one month.

SEC 2 This section (so far as it relates to counties of the third class) shall take effect immediately as to the Justices of the Peace and Constables, but shall not affect the compensation of other officers during the present term of office.

SEC. 3. This Act (except as herein otherwise provided) shall go into effect at twelve o'clock meridian on the first Monday after the first day of January, nineteen hundred and three.

Amendment adopted.

Ordered to print, engrossment, and third reading.

Mr. McWade moved that Assembly Bill No. 576 be sent to print with "rush" order.

So ordered.

RESOLUTIONS.

By Mr. Duryea:

Resolved, That Henry Ryan be and he is hereby substituted for C. J. Peterson as Bill Filer of this Assembly, said substitution to take effect from and after March 9, 1901.

Resolution adopted.

By Mr. Treadwell:

Resolved, That the State Printer be and he is hereby authorized and directed to print for the use of the members of the Assembly 2,000 copies each of enrolled Assembly Bills Nos 683 and 764, and of Committee Substitute for Senate Bill No. 138. The Controller is hereby authorized to draw his warrant therefor in favor of the State Printer for the sum of $850, payable from the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same The Sergeant-at-Arms of the Assembly is hereby directed to deliver twenty-five copies of each of said bills to each of the members of the Assembly, and to take his receipt therefor.

Referred to Committee on Ways and Means.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following have been correctly enrolled

Assembly Concurrent Resolution No. 9—Relative to the departure from the State of the Hon C W Pendleton, Speaker of the Assembly of the thirty-fourth session of the Legislature of California.

Assembly Joint Resolution No 14—Relative to Calaveras Sequoia Grove.

And were presented to the Governor this day, at ten o'clock and fifty minutes A. M

G. H. ANDERSON, Acting Chairman.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Cowan to the chair.

SUBSTITUTION AND WITHDRAWAL OF BILLS.

Mr. Higby (by consent of Mr. Berry) moved that Assembly Bill No. 431 be withdrawn, and asked unanimous consent to have Senate Bill No. 552 substituted in the place so made vacant.

So ordered.

Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties.

Read third time.

Mr. Higby moved that Senate Bill No. 552 be referred to select committee of one for codification and amendment, and that it be made special order for Monday, March 11, 1901.

So ordered.

Mr. Ralston moved that Assembly Bill No. 384 be withdrawn, and that Assembly Bill No. 761 be substituted in its place on file, and that Committee on Engrossment and Enrollment report Assembly Bill No. 761 back out of order.

So ordered.

Mr. Anderson of Solano (by permission of Mr. Dunlap) moved that Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220) (206 on file) and Assembly Bill No. 165 (159 on file) be transposed on file.

So ordered.

Assembly Bill No. 873 (Committee Substitute for Assembly Bill No. 220)—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners with power to make purchases and to manage said California Redwood Park.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Gans, Greer, Guilfoyle, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—57.

NOES—Mr. Speaker—1.

Title read and approved.

RECONSIDERATION OF SENATE BILLS.

Mr. Johnson moved that the vote whereby Senate Bill No. 508 was on last legislative day refused passage be reconsidered.

The roll was called, and action reconsidered by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Gans, Greer, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Milice, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—53.

NOES—None

Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudu-

lent, and regarding the recording of notices of intention to sell certain personal property.

Read third time.

Mr. Sheridan moved that a select committee of one be appointed to amend Senate Bill No. 508 as follows:

Add after the semicolon after the word "paid," in line forty-four, page two of bill, the following: "*provided*, that after the expiration of the said five days' notice hereinbefore provided for, in order for said sale, transfer, or assignment to be effective, there must be an immediate delivery of the property sold, transferred, or assigned and an actual and continuous change of possession of the things sold, transferred, or assigned"

Motion carried, and so ordered.

Mr. Johnson was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

JOHNSON, Committee.

Report adopted.

Senate Bill No. 508 ordered to print and on file for passage.

Mr. Rutherford moved that the vote whereby Senate Bill No. 640 was on last legislative day refused passage be reconsidered.

The roll was called, and action reconsidered by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Hanen, Henry, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Miller, Myers, Ralston, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Webber, and Wright—49.

NOES—Messrs. Cowan and Hasson—2

Senate Bill No. 640—An Act to add a new section to the Civil Code of the State of California, to be known as Section 2757, relating to fire insurance companies.

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 of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Dunlap, Duryea, Evatt, Feliz, Gans, Greer, Higby, Hourigan, Irish, Irving, James, Johnson, John, Knowland, Levinson, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, Wright, and Mr. Speaker—45

NOES—Messrs Atherton, Chandler, Cowan, Hanen, Kincaid, Laird, Savage, Treadwell, and Williams—9.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed.

Assembly Bill No 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging-camps.

Assembly Bill No 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214¼; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by such matron.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

G. H. ANDERSON, Acting Chairman.

BILL TAKEN UP OUT OF ORDER.

Mr. Webber moved that Senate Bill No. 614 be taken up for consideration out of order.

So ordered.

Senate Bill No. 614—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved April 15, 1880, and of all Acts amendatory thereof as are in conflict herewith," approved March 20, 1891, as amended by the Acts approved March 23, 1893, and February 18, 1895, relating to agricultural associations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chiles, Clarke, Cowan, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Irving, Johnson, John, Kincaid, Knight, Levinson, McNeil, McWade, Melick, Milice, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—49.

NOES—None.

Title read and approved.

THIRD READING OF BILL.

Assembly Bill No. 587 (Committee Substitute for Assembly Bill No. 328)—An Act to amend Sections 1492, 1494, and 1495 of the Political Code of the State of California, relating to State normal schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hourigan, James, Johnson, John, Knight, Levinson, McNeil, Melick, Milice, Radcliff, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—50

NOES—Messrs. Atherton, Chandler, Irving, Kincaid, and Laird—5.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

G. H. ANDERSON, Acting Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 761, having been passed temporarily on file, was at this time taken up.

Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Chiles, Clarke, Cromwell, Evatt, Feliz, Fisk, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Knight, Knowland, Levinson, Mattos, McNeil, McWade, Milice, Miller, Reeber, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—48.

NOES—Messrs. Cavagnaro, Cowan, Melick, Schlesinger, and Sheridan—5.

Title read and approved.

BILL WITHDRAWN.

Mr. Feliz (by permission of Mr. Johnson) moved that Assembly Bill No. 261 be withdrawn and that Assembly Bill No. 40 be substituted in its place on the file.

So ordered.

UNFINISHED BUSINESS.

Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Fisk, Gans, Greer, Guilfoyle, Hanen, Higby, Hourigan, Irving, James, Johnson, Kincaid, Mattos, McWade, Melick, Merritt, Milice, Miller, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—45.

NOES—None

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Senate Bill No. 454—An Act making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor, of W. A. Boyd and H. W Randal, for the arrest of Josef E. Blanther, for murder.

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

Also: Assembly Bill No. 244—An Act appropriating $100,000 for the erection of buildings for the use of the San Francisco State Normal School—have had the same under consideration, and respectfully report the same back, it having been withdrawn by author.

Also: Senate Committee Substitute for Senate Bill No. 50—An Act making an appropriation to the Directors of the California State Agricultural Society for the purpose of paying certain indebtedness, claims, and demands against said society—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

FISK, Chairman.

Mr. Johnson moved that Substitute for Senate Bill No. 50 be taken up for consideration.

So ordered.

Substitute for Senate Bill No. 50—An Act making an appropriation to the Directors of the California State Agricultural Society for the purpose of paying certain indebtedness, claims, and demands against said society.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Cowan in the chair, for the purpose of considering Substitute for Senate Bill No. 50.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Cowan in the chair.

Substitute for Senate Bill No. 50 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Cowan in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Substitute for Senate Bill No 50—An Act making an appropriation to the Directors of the California State Agricultural Society for the purpose of paying certain indebtedness, claims, and demands against said society—and do now report the same back, and recommend that the same do pass.

COWAN, Chairman.

Report adopted.

Substitute for Senate Bill No. 50 ordered to third reading, and made special order for Monday, March 11, 1901.

RECESS.

At twelve o'clock M., acting Speaker Cowan declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

SENATE SPECIAL FILE.

Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties.

Read third time.

Mr. Sheridan moved to refer Senate Bill No. 552 to a select committee of one, with instructions to amend as follows:

Strike out the title and insert in lieu thereof: "An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644."

Also: Strike out all of Section 1 and insert in lieu thereof the following:

"SECTION 1. Section 343 of the Political Code is hereby amended so as to read as follows:

"Section 343. The number and designation of the civil executive officers are as follows: A Governor, a private secretary for the Governor, an executive secretary for the Governor, a secretary for the Board of Examiners, a Lieutenant-Governor, a Secretary of State, a deputy Secretary of State, a keeper of archives of State for Secretary of State, a bookkeeper for the Secretary of State, three recording clerks for the Secretary of State, a Controller, five clerks for the Controller, a Treasurer, a deputy Treasurer, a bookkeeper for the Treasurer, a clerk for six months in each year for the Treasurer, an Attorney-General, a deputy Attorney-General, a Surveyor-General, who shall be ex officio Register of the State Land Office, a deputy Surveyor-General, one clerk for the Surveyor-General, three clerks for the Register, a Superintendent of Public Instruction, a deputy for the Superintendent of Public Instruction, one clerk for the Superintendent of Public In-

struction, a Superintendent of State Printing, an Inspector of Gas Meters, a Vaccine Agent, an Insurance Commissioner, a deputy for the Insurance Commissioner, three State Capitol Commissioners, four Port Wardens for the Port of San Francisco, a Port Warden for each port of entry except San Francisco, three State Harbor Commissioners, three Harbor Commissioners for the Port of Eureka, six pilots for each harbor where there is no Board of Pilot Commissioners, three members of the Board of Pilot Commissioners for the Ports of San Francisco, Mare Island, and Benicia, three members of the Board of Pilot Commissioners for Humboldt Bay and Bar, three Fish Commissioners, a Game Commissioner, a president and twelve directors of the State Board of Agriculture, four members of the State Board of Equalization, a clerk for the Board of Equalization, three members of the State Board of Railroad Commissioners, a secretary of the State Board of Railroad Commissioners, seven members of the State Board of Health, five members of the San Francisco Board of Health, five members of the Sacramento Board of Health, twenty-two regents of the University of California, three members of the State Board of Education, seven trustees of the State Normal School, five trustees of the State Library, a State Librarian, two deputies for the State Librarian, a librarian for the Supreme Court Library, five directors for the State Prisons, two wardens for the State Prisons, two clerks of the State Prisons, five directors for the Insane Asylum at Stockton, five directors for the Insane Asylum at Napa, a Medical Superintendent of the Insane Asylum at Stockton, two assistant physicians of the Insane Asylum at Stockton, a resident physician of the insane at Napa, one first assistant physician of the Insane Asylum at Napa; *provided*, when the number of patients shall increase to six hundred, the trustees may elect one additional second assistant physician, with the same pay and emoluments as the first assistant physician; a treasurer of the insane asylum at Stockton, a treasurer of the insane asylum at Napa, five trustees of the Asylum for the Deaf and Dumb and the Blind, three trustees of the State burying grounds, nine Commissioners of the Yosemite Valley and the Mariposa Big Tree Grove; such other officers as fill offices created by or under the authority of general laws for the government of counties, cities, and towns, or of the charters or special laws affecting the same, or of the health, school, election, road, or revenue laws." [In effect March 21, 1889]

Also: Strike out Sections 2, 3, and 4, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to the Political Code, to be numbered 644, so as to read as follows:

"Section 644. It is the duty of the Game Commissioner:

"1. To see that the laws for the preservation of game are strictly enforced; and for that purpose he may from time to time appoint such assistants as he may deem necessary, which persons so appointed as assistants shall have the powers and authorities of sheriffs to make arrests for violations of such laws throughout the State;

"2. To provide for the distribution and protection of game birds imported into this State for the purposes of propagation;

"3. To report biennially to the Governor a statement of all his transactions;

"4 To perform such other duties as are provided by law. The Game Commissioner shall hold his office at the pleasure of the Governor, and shall serve without compensation."

Motion carried, and so ordered.

Mr. Sheridan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties—with instructions to amend, now reports that the instructions of the Assembly have been carried out

SHERIDAN, Committee.

Report and amendments adopted, and bill ordered to print and third reading.

Mr. Webber moved to refer Senate Bill No 552 to Committee on Judiciary for codification.

Motion lost.

Senate Bill No. 555—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

Read second time.

Mr. Irish moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 555.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 555 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 555—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 555 ordered to third reading.

Senate Bill No. 299—An Act to amend Section 290 of the Civil Code, relative to articles of incorporation.

Read second time, and ordered to third reading.

Senate Bill No. 408—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 burial expenses," approved March 15, 1889, and to extend the operation of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Read second time, and ordered to third reading.

Senate Bill No. 378—An Act fixing and defining a miner's inch of water.

Read second time, and ordered to third reading.

Senate Bill No. 478—An Act to provide for the marking or branding of boxes or barrels containing citrus fruit for shipment, and fixing a penalty for the violation thereof, and for the appointment of an inspector under its provisions.

Read second time, and ordered to third reading.

Senate Bill No. 332—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Read second time, and ordered to third reading.

Senate Bill No. 549—An Act to amend Sections 7 and 8 of the Civil Code of the State of California, relating to legal holidays.

Read second time, and ordered to third reading.

Senate Bill No. 550—An Act to amend Sections 10 and 11 of the Political Code of the State of California, relating to legal holidays.

Read second time, and ordered to third reading.

Senate Bill No. 551—An Act to amend Sections 10, 11, and 134 of the Code of Civil Procedure of the State of California, relating to legal holidays and non-judicial days.

Read second time, and ordered to third reading.

Senate Bill No. 232—An Act to amend Section 850 of the Code of Civil Procedure.

Read second time, and ordered to third reading.

Senate Bill No. 288—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Read second time, and ordered to third reading.

Senate Bill No. 77—An Act to amend Section 11 of "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 committee amendments were submitted:

Amend by striking out the word "information," in lines twenty-nine and thirty, second page, printed bill, and inserting in lieu thereof the word "notification."

Amendment adopted.

Also:

Amend by striking out the word "shall," in line forty-three, second page, printed bill, and inserting in lieu thereof the word "may"

Amendment adopted.

Also:

Amend by inserting after the word "receivers," in line sixty-one, third page, printed bill, the words "as hereinbefore provided."

Amendment adopted.

Senate Bill No. 77 ordered to print and third reading.

Senate Bill No. 248—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and commissioning of notaries public for the several counties of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor.

Read second time.

Mr. Irish moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 546.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 546 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 546 ordered to third reading.

Senate Bill No. 110—An Act to enforce the educational rights of children, and providing penalties for the violation of this Act.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by inserting the word "willfully" after the word "or," in line eighteen, page four of the printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "two," in line nine, Section 6, page four, printed bill, and inserting in lieu thereof the word "four."

Amendment adopted.

AMENDMENT No. 3.

Amend by inserting the word "willfully" before the word "tardy," in line nine, Section 6, page four, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Amend by striking out the word "three," in line ten, Section 6, page four, printed bill, and inserting in lieu thereof the word "six."

Amendment adopted.

AMENDMENT No. 5.

Amend by inserting after the word "year," in line fifteen, page four of the printed bill, the following. "the arrests being approved by the aforesaid school authorities."

Amendment adopted.

AMENDMENT No. 6.

Amend Section 5, page four, by striking out the word "arrest" in its several tenses wherever the said word occurs in said Section 5, and inserting in lieu thereof the word "apprehend" in the corresponding tenses, to wit:

1. Strike out the word "arrest" from line two, and insert the word "apprehend"
2. Strike out the word "arrested" from line six, and insert the word "apprehended."
3. Strike out the word "arrest" from line twelve, and insert the word "apprehension."
4. Strike out the word "arrested" from line fifteen, and insert the word "apprehend."
5. Strike out the word "arrested" from line sixteen, and insert the word "apprehend"

Amendment adopted.

By Mr. Gans:

Amend Committee Amendment No. 5 by striking out the word "arrests," and inserting in lieu thereof the word "apprehensions."

Amendment adopted.

Senate Bill No. 110 ordered to print and third reading.

Senate Bill No. 285—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

Read second time.

The following committee amendments were submitted:

Amend the title by striking out from lines one and two thereof the words and figures "ten (10) and twelve (12)"; also, by inserting before the word "eight" of the title the word "and."

Amendment adopted.

Also:

Amend page seven of the printed bill by striking out the words and figures "Sec. 6" and "Sec 7," and inserting in lieu thereof the words and figures "Sec. 4" and "Sec. 5," respectively.

Amendment adopted.

Senate Bill No. 285 ordered to print and third reading.

Senate Bill No. 392—An Act concerning confirming and ratifying leases and other contracts made by any officer or boards of officers of this State.

Read second time.

Mr. Brown of San Mateo moved to amend as follows:

Amend Section 1, line five, by inserting the word "fifteenth" after the word February."

Amendment adopted.

Senate Bill No. 392 ordered to print and third reading.

UNFINISHED BUSINESS—(RESUMED).

Mr. Hanen moved that Assembly Bill No. 325 be taken up for consideration out of order.

So ordered.

Assembly Bill No. 325—An Act regulating the hours of labor in sawmills, shingle-mills, shakemills, and logging camps.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Brown of San Mateo, Carter, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Gans, Greer, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Levinson, McWade, Melick, Merritt, Milice, Reeber, Roberts, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—46

NOES—Mr. Sutro—1.

Title read and approved.

Mr. Higby moved to take up Senate message.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 580—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 580—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

Read first time, and ordered on file without reference to committee, and Assembly Bill No. 748 (an identical bill) withdrawn.

THIRD READING OF SENATE BILL.

Mr. Fisk asked and was granted unanimous consent to have Senate Bill No. 304 read third time and placed upon its final passage.

Senate Bill No. 304—An Act to pay the claim of Charles F. Wells against the State of California, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Gans, Greer, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, Merritt, Milice, Reeber, Roberts, Rutherford,

Savage, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—45.
Noes—Mr. Sheridan—1.

Title read and approved.

ASSEMBLY SPECIAL FILE.

Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Read second time.

Assembly Bill No. 551—An Act making an appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

Read second time.

Assembly Bill No. 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Read second time.

Mr. Stewart of Amador 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. 267, 551, and 730.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bills Nos. 267, 551, and 730 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 551—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

Assembly Bill No. 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

And do now report the same back, and recommend that they do not pass, except as to Assembly Bill No. 267, which they recommend do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 267 ordered to engrossment and third reading.

Assembly Bill No. 551—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

The following committee amendment was submitted:

Amend Section 1, line one of printed bill, by changing the words "ten thousand" to read "seven thousand five hundred"

Amendment adopted.

Assembly Bill No. 551 ordered to print, engrossment, and third reading.

Assembly Bill No. 730 ordered to engrossment and third reading.

Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Read second time, ordered to engrossment and third reading.

Assembly Bill No. 878—An Act to amend Section 352 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and term of office of members of the Board of Equalization.

Read second time, ordered to engrossment and third reading.

THIRD READING OF BILL.

Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Read third time.

Mr. Greer moved that a select committee of one be appointed to amend Assembly Bill No. 218 as follows:

Strike out in lines one and two, Section 4, the words "and be in force from and after its passage," and insert "January first, nineteen hundred and two"

Motion carried, and it was so ordered.

Mr. Greer was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

GREER, Committee.

Report and amendment adopted.

Assembly Bill No. 218 ordered to print, reëngrossment, and final passage.

BILL WITHDRAWN.

Mr. Myers (by permission of Mr. Chandler) moved that Assembly Bill No. 626 be withdrawn and that Assembly Bill No. 650 be substituted in its place on file.

So ordered.

SECOND-READING FILE.

Assembly Bill No. 650—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 200 thereof, relating to county officers, their compensation and expenses, in counties of the forty-third class.

Read second time.

Mr. Myers moved to amend as follows:

Amend by striking out of the title the figures "200," and inserting in lieu thereof the figures "194"

Amendment adopted.

Also:

Amend by striking out of Section 1, line one, the words "two hundred of said Act," and inserting the words "one hundred and ninety-four of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven."

Amendment adopted.

Also:

Amend by striking out of Section 1, line three, the figures "200" and the words "forty-third," and inserting in lieu thereof the figures "194," and the words "thirty-seventh"

Amendment adopted.

Also:

Amend by striking out of Section 1, line four, the word "rendered," and inserting the word "required."

Amendment adopted.

Also:

Amend by striking out of Section 1, lines seven, eight, nine, ten, eleven, twelve, and thirteen, and inserting the words "The County Clerk, twenty-five hundred dollars per annum."

Amendment adopted.

Also:

Amend by striking out of Section 1, line eighteen, the word "eleven," and inserting the word "twelve."

Amendment adopted.

Also:

Amend Section 1, line nineteen, by inserting after the words "per annum," "which shall be in full for all services as Tax Collector or License Collector."

Amendment adopted.

Also:

Amend by striking out of Section 1, lines thirty-nine, forty, forty-one, forty-two, forty-three, forty-four, and forty-five, and inserting the following: "The Supervisors of counties of this class be elected from their respective supervisoral districts at the next general election as follows, to wit: the term of office of the Supervisor elected from the First and Third Supervisoral Districts shall expire in two years from such general election, and the term of office of the Supervisors elected from the Second, Fourth, and Fifth Supervisoral Districts shall terminate in four years from such general election."

Amendment adopted.

Also:

Amend Section 1, line sixty-three, by inserting, after the words "taking notes," "and transcribing the same"

Amendment adopted.

Also:

Amend by striking out of Section 1, line seventy-six, the words "in criminal."

Amendment adopted.

Also:

Amend by striking out of Section 1, line seventy-seven, the words "cases, and"; also, "said reporter," and inserting, after the words "when required," "said clerk of the court."

Amendment adopted.

Also:

Amend Section 1, line seventy-eight, by inserting after the words "to exceed," "as the court shall direct."

Amendment adopted.

Also:

Amend Section 1, line seventy-nine, by inserting after the words "for copy," "; *provided*, that where the reporter is required to transcribe the whole or any part of the testimony during the taking of testimony in civil cases in the Superior Court, the said clerk of the court shall receive, as the court shall direct, not to exceed twelve and one half cents per folio of one hundred words for the original, and the reporter shall be entitled to receive, as the court shall direct, and retain for his own use, said five cents per folio for copy."

Amendment adopted.

Also:

Amend by striking out of Section 1, line eighty-one, the words "cases, together with."

Amendment adopted.

Also:

Amend by striking out of Section 1, line eighty-four, the words "per diem."

Amendment adopted.

Also:

Amend Section 1, line eighty-seven, by inserting after the word "services," "and compensation."

Amendment adopted.

Also:

Amend Section 1, line sixty-seven, by inserting, after the words "or inquests," "and such work in experting the county books as shall be required by the Board of Supervisors"

Amendment adopted.

Also:

Amend Section 1, line forty-eight, by inserting, after the words "four thousand," "or more."

Amendment adopted.

Also:

Amend by striking out of Section 1, line eighty-two, the word "to," and inserting in lieu thereof the word "shall."

Amendment adopted.

Assembly Bill No. 650 ordered to print, engrossment, and third reading.

Mr. Treadwell moved (by permission of Mr. Guilfoyle) that Assembly Bill No. 611 (409 on file) and Assembly Bill No. 541 (222 on file) be transposed on file.

So ordered.

Assembly Bill No. 611—An Act making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California.

Read second time.

Mr. Treadwell 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. 611.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 611 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 611—An Act making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California—and do now report, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 611 ordered to engrossment and third reading.

Assembly Bill No. 542—An Act regulating the use of trade union labels upon printed matter furnished by or for the State of California.

Read second time, ordered to engrossment and third reading.

Mr. Sutro moved that Assembly Bill No. 73 (266 on file) and Assembly Bill No. 577 (216 on file) be transposed on file.

So ordered.

Assembly Bill No. 73—An Act to amend Section 144 of the Code of Civil Procedure.

Read second time.

Mr. Sutro moved to amend as follows:

Amend by inserting after the word "courts," in line four of Section 1, the words "and for the use of the jury and witnesses."

Amendment adopted.

Assembly Bill No. 73 ordered to print, engrossment, and third reading.

Assembly Bill No. 92—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein pool-selling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the race-track enclosure, fair grounds, or buildings wherein such trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines shall be had and occur, and upon the days when such trials or contests actually occur or are had; and to provide a punishment for the violation of this Act.

Read second time, ordered to engrossment and third reading.

Mr. Bennink moved that Assembly Bill No. 183 be withdrawn and Assembly Bill No. 727 (358 on file) substituted in its place.

So ordered.

Assembly Bill No. 727—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads.

Read second time, ordered to engrossment and third reading.

At three o'clock and fifteen minutes P. M., the Speaker called Mr. Treadwell to the chair.

Mr. Brown of San Mateo moved that Assembly Bill No. 803 (387 on file) and Assembly Bill No. 174 (219 on file) be transposed on file.

So ordered.

Assembly Bill No. 803—An Act to amend Section 1 of an Act entitled "An Act to amend an Act entitled '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 its proceeds," approved March 23, 1893,' approved March 9, 1897," which became a law March 14, 1899.

Read second time.

Mr. Brown of San Meteo moved to amend as follows:

Amend Section 3, line one, by striking out the figure "3," and inserting in lieu thereof the figure "2."

Amendment adopted.

Assembly Bill No. 803 ordered to print, engrossment, and third reading.

Assembly Bill No. 494—An Act entitled "An Act to regulate the sale of wood alcohol in the State of California."

Read second time, ordered to engrossment and third reading.

Mr. Brown of San Mateo (by permission of Mr. Walker) moved that Assembly Bill No. 400 (282 on file) and Assembly Bill No. 562 (231 on file) be transposed on file.

So ordered.

Assembly Bill No. 400—An Act to amend Section 538 of the Code of Civil Procedure of the State of California, relating to attachments in civil actions.

Read second time.

Mr. Brown of San Mateo moved to amend as follows:

Amend by striking out all of lines thirty-seven, thirty-eight, and thirty-nine of the printed bill, and inserting in lieu thereof the words "in an action to recover damages for a tort where the complaint is verified and the plaintiff files an affidavit of merits and a verified application for an attachment."

Amendment adopted.

Assembly Bill No. 400 ordered to print, engrossment, and third reading.

Assembly Bill No. 624—An Act entitled "An Act to appropriate the sum of $211.61 to pay the claim of B. A. Johnson for supplies furnished the National Guard of California during the month of July, 1894."

Read second time.

Assembly Bill No. 470—An Act to appropriate the sum of $1,856.78 to pay the claim of Howard M. Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

Read second time.

Mr. Johnson moved that Assembly Bill No. 752 (389 on file) be taken up out of order.

So ordered.

Assembly Bill No. 752—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children, during the years 1896, 1897, and 1898, in the sum of $242.

Read second time.

Mr. Johnson moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Treadwell in the chair, for the purpose of considering Assembly Bills Nos. 624, 470, and 752.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Treadwell in the chair.

Assembly Bills Nos. 624, 470, and 752 were considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Treadwell in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 624—An Act entitled "An Act to appropriate the sum of $211.61 to pay the claim of B. A Johnson for supplies furnished the National Guard of California during the month of July, 1894."

Also: Assembly Bill No. 470—An Act to appropriate the sum of $1,856.78 to pay the claim of Howard M. Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the

Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

Also: Assembly Bill No. 752—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children, during the years 1896, 1897, and 1898, in the sum of $242

And do now report the same back with amendments, and recommend that they do pass as amended.

TREADWELL, Chairman.

Report adopted.

Assembly Bill No. 624—An Act entitled "An Act to appropriate the sum of $211.61 to pay the claim of B. A. Johnson for supplies furnished the National Guard of California during the month of July, 1894."

Mr. Greer moved to amend as follows:

Amend by striking out of Section 3, line one, the word "immediately," and inserting the following: "January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 624 ordered to print, engrossment, and third reading.

Assembly Bill No. 470—An Act to appropriate the sum of $1,856.78 to pay the claim of Howard M. Sitton, on bond of the State of California, issued under the Act of the Legislature of the State of California, approved April 25, 1857, authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title, line two, printed bill, by inserting, after the word "bond," the following: "No. 592."

Amendment adopted.

AMENDMENT No. 2

Amend the title, line four, printed bill, by inserting after "1857," "entitled 'An Act.'"

Amendment adopted.

AMENDMENT No. 3.

Amend line four, Section 1, printed bill, after the word "bond," by inserting "No. 592."

Amendment adopted.

AMENDMENT No. 4.

Amend line seven, Section 1, printed bill, after the word "fifty-seven," by inserting "entitled 'An Act'"

Amendment adopted.

AMENDMENT No. 5.

Amend line 10, Section 1, printed bill, after the word "and," by inserting the words "upon the surrender of said bond"

Amendment adopted.

AMENDMENT No. 6.

Amend by striking out the words "This Act shall take effect immediately," in line one, Section 3, printed bill, and inserting in lieu thereof the following: "This Act shall take effect January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 470 ordered to print, engrossment, and third reading.

Assembly Bill No. 752—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children, during the years 1896, 1897, and 1898, in the sum of $242.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 4, second page, printed bill, and inserting in lieu thereof the following: "from and after January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 752 ordered to print, engrossment, and third reading.

Assembly Bill No. 638—An Act to amend Section 2653 of the Political Code, relating to highways.

Read second time.

Mr. Atherton moved to amend as follows:

Amend Section 1, line seventeen, printed bill, by inserting after the word "year" the words "for the purpose of opening and building new roads."

Amendment adopted.

Assembly Bill No. 638 ordered to print, engrossment, and third reading.

MOTION TO ADJOURN.

Mr. Irish moved to adjourn until Monday, March 11, 1901, at ten o'clock A. M.

Mr. Myers moved as a substitute that when the Assembly adjourn it adjourn until Monday, March 11, 1901, at ten o'clock A. M.

Substitute carried.

SECOND-READING FILE—(RESUMED).

Mr. Greer moved that Assembly Bill No. 507 (427 on file) and Assembly Bill No. 513 (225 on file) be transposed on file.

So ordered.

Assembly Bill No. 507—An Act to amend Sections 2641, 2644, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known and designated as Sections 2642 and 2642½, relating to the election, appointment of, and oath and bond of road overseers.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "*provided*, that no member of the Board of Supervisors shall receive any compensation for any service whatsoever performed by him or required of him under any provisions of this chapter, other than his salary or per diem and mileage as a Supervisor," in lines seventeen, eighteen, nineteen, twenty, and twenty-one, second page, printed bill, and inserting in lieu thereof the following: "when not otherwise provided by law, he shall receive for his services as such Road Commissioner twenty cents per mile, one way, for all distances actually traveled by him in performance of his duties; *provided*, *however*, that he shall not, in any one year, receive more than three hundred dollars"

Amendment adopted.

Assembly Bill No. 507 ordered to print, engrossment, and third reading.

Assembly Bill No. 461—An Act to compel employers to furnish surgical and medical attendance for employés injured during working hours in mills, factories, shipyards, foundries, and other places where fixed machinery is used.

Read second time.

The following committee amendments were submitted:

Amend by inserting in Section 2, after the words "this Act," in line nine of printed bill, the following: "*provided*, that nothing herein contained shall be so construed as to affect the right of an injured person to sue and recover damages in any court of competent jurisdiction."

Amendment adopted.

Also:

Amend by striking out of Section 2, line three, first page, the word "the."

Amendment adopted.

Assembly Bill No. 461 ordered to print, engrossment, and third reading.

Assembly Bill No. 545—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Read second time, ordered to engrossment and third reading.

Mr. Sutro moved that Assembly Bill No. 251 be withdrawn and Assembly Bill No. 675 substituted in its place on the file.

So ordered.

Assembly Bill No. 675—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884. and 3899 of the Political Code, relating to the assessment and collection of taxes.

Mr. Sutro moved to amend as follows:

Amend the title by striking out the figures "3629."

Amendment adopted.

Also:

Amend by striking out of Section 1, line one, the words "thirty-six hundred and nine"; also, all after the word "follows," in line eight of Section 1, to and including the word "included," in line sixty-one of Section 1.

Amendment adopted.

Also:

Amend by striking out all after the word "property," in line ninety-nine, to and including the word "life," in line one hundred and eleven, and inserting after the word "paid," in line one hundred and seventeen, the words "or the property sold for the payment thereof"

Amendment adopted.

Also:

Amend by striking out of Section 1, lines one hundred and nineteen and one hundred and twenty, the word "real," and the words "on which the lien for delinquent personal property taxes is attached."

Amendment adopted.

Assembly Bill No. 675 ordered to print, engrossment, and third reading.

Mr. Roberts moved that Assembly Bill No. 848 (434 on file) and Assembly Bill No. 290 (230 on file) be transposed on file.

So ordered.

Assembly Bill No. 848—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians, and who are not confined at State hospitals for the insane.

Read second time

The following committee amendments were submitted:

AMENDMENT No. 1.

Insert after the word "such," in line ten, Section 2, page two of printed bill, the words "relative or."

Amendment adopted.

AMENDMENT No. 2.

Strike out in line seventeen of Section 2, page two, printed bill, the words "of it," and insert in lieu thereof the words "or if."

Amendment adopted.

AMENDMENT No. 3

Strike out in line twenty-eight, Section 2, page three, printed bill, the first word "in."

Amendment adopted.

AMENDMENT No. 4.

Insert after the word "given," in line nine, Section 3, page three, printed bill, the words "in the manner and."

Amendment adopted.

AMENDMENT No. 5.

In line nine, Section 3, page three of printed bill, strike out the word "the," and insert in lieu thereof the word "such."

Amendment adopted.

AMENDMENT No. 6.

Insert before the word "relatives," in line ten, Section 3, page three of printed bill, the words "relative or."

Amendment adopted.

AMENDMENT No. 7.

Insert in line eleven, Section 3, page three, printed bill, after the word "made," the words "as the judge may direct"

Amendment adopted.

AMENDMENT No. 8.

In line twenty, Section 3, page three of printed bill, strike out the word "of," and insert in lieu thereof the word "if."

Amendment adopted.

Assembly Bill No. 848 ordered to print, engrossment, and third reading.

Assembly Bill No. 432—An Act to amend Section 1 of an Act entitled "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," approved March 18, 1897.

Read second time.

Mr. Brown of San Mateo moved to amend as follows:

Amend by striking out of Section 1, line fifty-three, the words "licensing of the."

Amendment adopted.

Assembly Bill No. 432 ordered to print, engrossment, and third reading.

Mr. Savage (by permission of Mr. Broughton) moved that Assembly Bill No. 376 be withdrawn and Assembly Bill No. 726 (318 on file) substituted in its place on the file.

So ordered.

Assembly Bill No. 726—An Act to amend Section 2 of an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California."

Read second time.

Assembly Bill No. 726 ordered to engrossment and third reading.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 293—An Act to provide for the use of automatic vote-registering and recording machines at all elections to be held within the State of California.

Assembly Bill No. 832—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, and all Acts supplementary thereto, or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Assembly Bill No. 866—An Act to prevent the sale of drugs, chemicals, or pharmaceutical preparations under one roof, known as department stores, in municipal corporations of the first class.

G. H. ANDERSON, Acting Chairman.

ON JUDICIARY—(OUT OF ORDER).

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Assembly Constitutional Amendment No. 29—Relative to the Supreme Court, amending Section 2 of Article VI of the Constitution—have had the same under consideration, and respectfully report the same back, with the recommendation that it do pass

JOHNSON, Chairman.

SECOND-READING FILE—(RESUMED).

Assembly Bill No. 532—An Act to provide for the locating, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Read second time.

Mr. Milice moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Treadwell in the chair, for the purpose of considering Assembly Bill No. 532.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Treadwell in the chair.

Assembly Bill No. 532 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Treadwell in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 532—An Act to provide for the locating, construction, and maintenance of a State highway commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor—and do now report the same back, and recommend that it do pass.

TREADWELL, Chairman.

Report adopted.

Assembly Bill No. 532 ordered to engrossment and third reading.

Mr. Gans moved that Committee Substitute for Senate Bill No. 603 be made special order for Monday, March 11th.

So ordered.

Mr. Sheridan moved that Assembly Bill No. 263 (369 on file) and Assembly Bill No. 555 (236 on file) be transposed on file.

So ordered.

Assembly Bill No. 263—An Act to amend Section 55 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

Assembly Bill No. 263 ordered to engrossment and third reading.

Mr. Greer (by permission of Mr. Johnson) moved that Assembly Bill No. 687 (306 on file) and Assembly Bill No. 633 (237 on file) be transposed on file.

So ordered.

Assembly Bill No. 687—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Read second time.

Mr. Greer moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Treadwell in the chair, for the purpose of considering Assembly Bill No. 687.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Treadwell in the chair.

Assembly Bill No. 687 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Treadwell in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 687—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same—and do now report the same back with amendments, and recommend that the same do pass as amended.

TREADWELL, Chairman.

Report adopted.

Assembly Bill No. 687—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

The following committee amendment was submitted:

Amend by striking out the word "immediately," in line one, Section 3, and inserting in lieu thereof the words "after January first, nineteen hundred and two."

Amendment adopted.

Assembly Bill No. 687 ordered to print, engrossment, and third reading.

Mr. Myers (by permission of Mr. Johnson) moved that Assembly Bill No. 695 (270 on file) and Assembly Bill No. 467 (238 on file) be transposed on file.

So ordered.

Assembly Bill No. 695—An Act to amend Section 4046 of the Political Code by adding a new subdivision to said section, to be numbered 27.

Read second time.

The following committee amendment was submitted:

Strike out all after the words "An Act," in the title, and insert in lieu thereof as follows:

"To amend Section 4046 of the Political Code of the State of California by adding another subdivision, to be be known and numbered subdivision twenty-seven, pertaining to the Board of Supervisors.

"*The People of the State of California, represented in Senate and Assembly, do enact as follows*:

"SECTION 1. Section 4046 of the Political Code is hereby amended so as to read as follows, viz:

"Section 4046. The Boards of Supervisors, in their respective counties, have jurisdiction and power, under such limitations and restrictions as are prescribed by law—

"1. To supervise the official conduct of all county officers and officers of all districts and other subdivisions of the county charged with assessing, collecting, safe-keeping, management, or disbursement of the public revenues; see that they faithfully perform their duties, direct prosecutions for delinquencies, and, when necessary, require them to renew their official bonds, to make reports, and to present their books and accounts for inspection.

"2. To divide the counties into townships, school, road, and other districts required by law; change the same, and create others as convenience requires

"3. To establish, abolish, and change election precincts, and to appoint inspectors and judges of election, canvass the election returns, and declare the result, and issue certificates thereof.

"4. To lay out, maintain, control, and manage public roads, turnpikes, ferries, and bridges within the county, and levy such tax therefor as authorized by law.

"5. To provide for the care and maintenance of the indigent sick, or the otherwise dependent poor of the county; erect, officer, and maintain hospitals therefor, or otherwise provide for the same, and to levy the necessary tax therefor, per capita, not exceeding three dollars, and an ad valorem tax not exceeding one fifth of one per cent, or either of such levies when both are not required, on all taxpayers and taxable property of the county.

"6. To provide a farm in connection with the county hospital, and make regulations for working the same.

"7. When there are necessary county buildings, to provide suitable rooms for county purposes

"8. To purchase, receive by donation, or lease any real or personal property necessary for the use of the county, preserve, take care of, manage, and control the same; but no purchase of real property must be made, unless the value of the same has been previously estimated by three disinterested citizens of the county appointed for that purpose, and no more than the appraised value must be paid therefor.

"9 To cause to be erected and furnished a court-house, jail, hospital, and such other public buildings as may be necessary.

"10. To sell, at public auction, at the court-house door, after thirty days' previous notice given by publication in a newspaper of the county, or posted in five public places of the county, and convey, to the highest bidder for cash, any property, real or personal, belonging to the county, paying the proceeds into the county treasury for the use of the county.

"11. To examine and audit the accounts of all officers having the care, management, collection or disbursement of moneys belonging to the county, or appropriated by law, or otherwise, for its use and benefit.

"12. To examine, settle, and allow all accounts legally chargeable against the county, except salaries of officers, and order warrants to be drawn on the County Treasurer therefor, and provide for the using of the same.

"13. To levy such tax annually on the taxable property of the county as may be necessary to defray the current expenses thereof, including salaries, or otherwise unprovided for, not exceeding one dollar on every one hundred dollars of value for any one year; and to levy such taxes as are required to be levied by special or local statutes.

"14. To equalize the assessments.

"15 To direct and control the prosecution and defense of all suits to which the county is a party.

"16. To insure the county buildings in the name of, and for the benefit of, the county.

"17 To grant licenses and franchises, and provide by law for constructing, keeping, and taking tolls on roads, bridges, ferries, wharves, chutes, and piers.

"18 To fix the compensation of all county officers not otherwise in this code or by general or special law fixed, and provide for the payment of the same.

"19. To fill by appointment all vacancies that may occur in the county or township officers, except those of County Judge and Supervisor.

"20. To adapt to the county the provisions of this code for the preservation of the health of San Francisco or Sacramento for such limited time as they may deem proper, and provide for the expenses thereof.

"21. To contract for the county printing, provide books and stationery for county officers.

"22. At the adjournment of each session of the board, to be caused to be published in a newspaper, or otherwise, a fair statement of all their proceedings, and a semi-annual statement of the financial condition of the county.

"23. To make regulations for the destruction of gophers, squirrels, and other wild animals, and noxious weeds, and to levy a special tax, not exceeding three cents on each one hundred dollars of taxable property, wherewith to pay rewards therefor. To make regulations for the protection of game, fish, and shell-fish, and for the prevention of injuries to sheep by dogs, and to tax dogs and direct the application of the tax When such regulations are made, as provided in this section, relating to game and fish, the laws of the State for the protection thereof are suspended in such county.

"24 To make and enforce such rules and regulations for the government of their body, the preservation of order, and the transaction of business as may be necessary.

"25. To adopt a seal for their board, a description and impression whereof must be filed by their clerk in the offices of the County Clerk and Secretary of State.

"26 To adopt and perform all such other acts and things required by the law not in this title enumerated or which may be necessary to the full discharge of the duties of the chief executive authority of the county government.

"27. To make suitable police regulations for all unincorporated towns and villages within their respective counties, and to prohibit the presence of minors in certain places in such unincorporated towns and villages at improper hours."

Amendment adopted.

Assembly Bill No. 695 ordered to print, engrossment, and third reading.

Mr. Knowland moved that the Assembly now adjourn.

Roll call was demanded by Messrs. Sutro, Johnson, and Knowland.

The roll was called, and the following members were recorded as voting:

AYES—Messrs Anderson of Solano, and Savage—2.
NOES—Messrs. Brown of San Mateo, James, Kincaid, Knight, Melick, Milice, Myers, Rutherford, Schillig, Stewart of San Diego, Treadwell, and Walker—12.

ADJOURNMENT.

There being no quorum present, acting Speaker Treadwell declared the Assembly adjourned until Monday, March 11, 1901, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, March 11, 1901.

The Assembly met at ten o'clock A. M., pursuant to adjournment. Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Felix, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—68.

Quorum present.

LEAVE OF ABSENCE.

Messrs. Butler, Evatt, Foster, and Anderson of Solano were granted leave of absence for the day.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Rutherford, further reading of the Journal was dispensed with.

APPROVAL OF JOURNALS.

The Journals of Thursday and Friday, March 7 and 8, 1901, were read, corrected, and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 9, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 224—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's, to Tahoe City, and making an appropriation therefor.

Also: Senate Bill No. 404—An Act making an additional appropriation for the repairing, renovating, and improving the buildings and grounds of the State Normal School at San José, Santa Clara County, California.

Also: Senate Bill No 412—An Act making appropriation of money for the purchase of one hundred and sixty acres of additional land for the use of the Napa State Hospital at Napa.

Also: Senate Bill No 486—An Act to add a new section to the Political Code of the State of California, to be known as Section 4088, providing for the Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of the same.

Also: Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Senate Bill No. 562—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Also: Senate Bill No. 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Also: Concurred in Assembly amendments to Senate Bill No. 170—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.

Also: Appointed as a conference committee, Senators Currier, Welch, and Nutt, to confer with a like committee from the Assembly on Assembly amendments to Committee Substitute for Senate Bill No 19—An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

FIRST READING OF SENATE BILLS.

Senate Bill No. 224—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Read first time, and ordered on Senate Special File without reference to committee, and Assembly Bill No. 258 withdrawn (they being identical bills).

Senate Bill No. 404—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Read first time, and ordered on Senate Special File, and Assembly Bill No. 52 withdrawn (they being identical bills).

Senate Bill No. 412—An Act making an appropriation of money for the purchase of one hundred and sixty acres of additional land for use of the Napa State Hospital at Napa.

Read first time, and ordered on Senate Special File, and Assembly Bill No. 551 withdrawn (they being identical bills).

Senate Bill No. 486—An Act to add a new section to the Political Code of the State of California, to be known as Section 4088, providing for Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of same.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same at the Whittier State

School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read first time, and ordered on Senate Special File, and Assembly Bill No. 700 withdrawn (they being identical bills).

Senate Bill No. 562—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Read first time, and referred to Committee on Irrigation.

Senate Bill No. 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Read first time, and referred to Committee on Judiciary.

SECOND-READING FILE.

Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

Read second time.

Mr. Feliz 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. 288.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Assembly Bill No. 288 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof—and do now report the same back, with amendments, and recommend that the same do pass as amended.

PENDLETON, Chairman.

Report adopted.

Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend Section 1, page one, lines three and four, printed bill, by striking out the words "the City of Salinas, in the County of Monterey, and San Miguel, in the County of San Luis Obispo," and inserting in lieu thereof the words "Salinas and King City, in the County of Monterey."

Amendment adopted.

AMENDMENT No. 2.

Amend Section 2, page one, line two, printed bill, by striking out the word "and," and inserting in lieu thereof the words "or otherwise."

Amendment adopted.

AMENDMENT No. 3.

Amend Section 4, page two, line three, printed bill, by inserting after the word "Controller," the words "in the name of the Highway Commissioner."

Amendment adopted.

AMENDMENT No 4.

Amend Section 5, page two, line one, printed bill, by striking out the word and figure "Sec. 5," and inserting in lieu thereof the word and figure "Sec 6."

Amendment adopted.

AMENDMENT No. 5.

Amend on page two, printed bill, by inserting after Section 4 a new section as follows: "SEC 5. Nothing herein contained shall be construed to prohibit the Board of Supervisors of said county to improve said road with county money or otherwise "

Amendment adopted.

Assembly Bill No. 288 ordered to print, engrossment, and third reading.

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited.

Mr. Cowan moved that a select committee of one be appointed to amend Assembly Bill No. 640 as follows:

Strike out all of line nine and word "character," in line ten, all in Section 1, and insert in lieu thereof the following: "to prohibit by ordinance soliciting for purposes of prostitution or for any other lewd or unlawful purpose."

Motion carried, and so ordered.

Mr. Cowan was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

COWAN, Committee.

Report adopted.

Assembly Bill No. 640 ordered to print, and on file for final action.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 730—An Act making an appropriation to pay for the providing of additional committee rooms in the attic of the State Capitol, and requiring that the work be done under the direction of the Secretary of State.

Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Assembly Bill No. 878—An Act to amend Section 352 of the Political Code of the State of California, providing for the apportionment of the State into equalization districts, and the election and term of office of members of the Board of Equalization.

Assembly Bill No 611—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California

Assembly Bill No 542—An Act regulating the use of trade-union labels upon printed matter furnished by or for the State of California.

Assembly Bill No 92—An Act to prohibit the selling of pools and bookmaking on any trial or contest of skill, speed, or power of endurance of, by, or between men, animals, or machines, or upon any chance, casualty, or uncertain or contingent event, and the maintaining of places wherein pool-selling or bookmaking is carried on, except when said pools are sold or said bookmaking is carried on within the race-track enclosure, fair grounds, or buildings wherein such trial or contest of skill, speed, or power of endurance, of, by, or between men, animals, or machines shall be had and occur, and upon the days when such trials or contests actually occur or are had; and to provide a punishment for the violation of this Act.

Assembly Bill No. 727—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads

Assembly Bill No. 494—An Act entitled an Act to regulate the sale of wood alcohol in the State of California.

Assembly Bill No. 545—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889.

Assembly Bill No. 726—An Act to amend Section 2 of an Act entitled "An Act to regulate the practice of veterinary medicine and surgery in the State of California," approved March 23, 1893.

Assembly Bill No. 532—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Assembly Bill No. 263—An Act to amend Section 55 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

FRANKLIN, Chairman.

RESOLUTION.

By Mr. Hourigan:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $180, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly, in favor of Leo Salomon, for his services as Sergeant at-Arms and Janitor of the following committees: Roads and Highways, Counties and County Boundaries, County and Township Governments, Claims, Attachés and Employés, from January 7, 1901, to day of adjournment *sine die*.

We indorse the above:

C. W. MERRITT,
Chairman of Committee on Roads and Highways.
DAVID F. McWADE,
Chairman of Committee on County and Township Governments
F. A. CROMWELL,
Chairman of Committee on Counties and County Boundaries.
LORENZO A. HENRY,
Chairman of Committee on Claims.
GEO. C. BROWN,
Chairman of Committee on Attachés and Employés.
WM. O. BANKS,
Sergeant-at-Arms of the Assembly.

Read, and referred to Committee on Attachés and Employés.

At ten o'clock and forty minutes A. M., the Speaker called Mr. Guilfoyle to the chair.

SPECIAL ORDERS.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Mr. Knight moved that a select committee of one be appointed to amend Senate Bill No. 447 as follows:

Strike out the word "thirty-first," line eighty-one, Section 1, page three, printed bill, and insert in lieu thereof the word "thirty-fifth."

Motion lost.

Also:

Strike out the word "thirty-second," in line eighty-five of subdivision nineteen, Section 1, page three, printed bill, and insert in lieu thereof the word "thirty-fourth."

Motion lost.

The question being on the final passage of Senate Bill No. 447.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Cromwell, Dunlap, Duryea, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Johnson, John, Knight, Knowland, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff Ralston, Roberts, Rutherford, Savage, Schilig, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr Speaker—47.

NOES—Messrs. Cavagnaro, Chiles, Cowan, Feliz, Haley, Hubbard, Irving, James, Kincaid, Laird, Levinson, McLoughlin, Ray, Reeber, Sheridan, Simpson, and Sutro—17.

Title read and approved.

EXPLANATION OF VOTE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I hereby explain that my vote was cast in favor of Senate Bill No 447 because I did not feel justified in voting against it on account of its effect upon one Assembly district—the Thirty-fourth

E. D. KNIGHT

PROTEST.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I hereby protest against the action of the Assembly taken this day in refusing to amend Senate Bill No 447 as proposed by me. This protest is based on the grounds:

First—That the proposed redistricting, as it applies to the City and County of San Francisco, and which I opposed in caucus, is a virtual dismemberment and distribution, in small fractional parts, of the present Thirty-fourth Assembly District, which I have the honor to represent, and of the Twentieth Senatorial District, so that at best a small portion of the people of the present Thirty-fourth Assembly District will hereafter vote together for Assemblyman, and none of them will vote in the same combination for Senator.

Second—That either of the amendments proposed by me would have partially corrected the injustice of the proposed apportionment, and would have been acceptable to the people whom I have the honor of representing.

E. D. KNIGHT

SPECIAL ORDERS—(RESUMED).

Committee Substitute for Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries, prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary, and fixing his compensation;

prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appropriation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put; directing of what funds the School Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools.

Read second time.

Mr. Gans moved to amend as follows:

Amend by inserting after the word "school," in line thirty-two, page three of the printed bill, the words "and district library."

Amendment adopted.

Also:

Amend by striking out on page three all of lines thirty-three, thirty-four, and thirty-five, and inserting the following in lieu thereof: "he is hereby authorized to draw requisitions, without orders from the Board of Trustees or Board of Education, against the Library Fund of the respective school districts of his county in payment for such books."

Amendment adopted.

Also:

Amend by striking out of Section 1, line thirty-two, page three, the word "each," and inserting the word "every."

Amendment adopted.

Also:

Amend by striking out of Section 1, line thirty, the word "each," and inserting in lieu thereof the word "every."

Amendment adopted.

Mr. Johnson moved to refer the bill to Committee on Ways and Means, to retain place on file.

So ordered.

At eleven o'clock A. M., the Speaker resumed the chair.

Committee Substitute for Senate Bill No. 50—An Act making an appropriation to the Directors of the California State Agricultural Society for the purpose of paying certain indebtedness, claims, and demands against said society.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Brown of San Mateo, Carter, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hubbard, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, Melick, Milice, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Mr Speaker—46

NOES—None.

Title read and approved.

UNFINISHED BUSINESS.

Assembly Bill No. 646—An Act to add a new section to the Political Code of the State of California, to be numbered Section 1120, relating to registrations.

Read third time, and passed on file.

Assembly Bill No. 418—An Act to amend Section 1186 of the Political Code, relating to conventions.

Withdrawn by author.

Assembly Bill No. 419—An Act adding sixteen new sections to the Political Code, to be numbered, consecutively, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, and 1381, concerning elections, and providing for the election of delegates to conventions of political parties at elections known and designated as primary elections.

Withdrawn by author.

At eleven o'clock and ten minutes A. M., the Speaker called Speaker pro tem. Ralston to the chair.

CONSIDERATION OF GOVERNOR'S VETO.

Assembly Bill No. 80—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Mr. Carter moved that the above be indefinitely postponed.

So ordered.

UNFINISHED BUSINESS—(RESUMED).

ASSEMBLY CONCURRENT RESOLUTION No. 10

Relative to donating money toward a monument to Hon. Stephen M. White.

Resolved by the Assembly, the Senate concurring, That the sum of twenty-five hundred ($2,500) dollars be and the same is hereby appropriated, one half from the Contingent Fund of the Senate and one half from the Contingent Fund of the Assembly, toward the erection of a monument in honor of the memory of the late Stephen M. White;

Resolved further, That the said sum of twenty-five hundred ($2,500) dollars be paid to John F Francis, and the State Controller is authorized to draw his warrants for the amount of the said twenty-five hundred dollars, one half from the Contingent Fund of the Senate and one half from the Contingent Fund of the Assembly, and the State Treasurer is ordered to pay the said warrants so drawn.

Resolution read.

The question being on the adoption of Assembly Concurrent Resolution No. 10.

Roll call was demanded by Messrs. Johnson, Schlesinger, and Sutro.

The roll was called, and Assembly Concurrent Resolution No. 10 adopted by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Brady, Broughton, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Hubbard, Irving, James, John, Kincaid, Knowland, Laird, Levinson, McLoughlin, McWade, Melick, Milice, Miller, Radcliff, Ralston, Savage, Schillig, Schlesinger, Simpson, Stewart of Amador, Sutro, Wright, and Mr Speaker—45.

NOES—Messrs Atherton, Bauer, Berry, Brown of San Mateo, Cromwell, Feliz, Hanen, Irish, Johnson, Knight, McNeil, Myers, Reeber, Sheridan, Stewart of San Diego, Treadwell, and Walker—17

CONSIDERATION OF GOVERNOR'S VETOES.

Assembly Bill No. 427—An Act to amend Section 3825 of the Political Code.

Mr. Johnson moved that consideration of above be postponed until Tuesday, March 12, 1901.

So ordered.

Assembly Bill No. 320—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 3859, and to amend Sections 3804, 3825,

and 3881, relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Postponed until Tuesday, March 12, 1901.

UNFINISHED BUSINESS—(RESUMED).

Assembly Bill No. 41—An Act to provide for a segregated hospital building and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

The question being, "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 41?"

AMENDMENT No. 1.

Amend by inserting in the enacting clause, after the word "of," the words "the State of"

AMENDMENT No. 2.

Amend by striking out the words "July, nineteen hundred and one," in line two, Section 2, first page, printed bill, and inserting in lieu thereof the words "January, nineteen hundred and two."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 41 by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Carter, Cavagnaro, Chandler, Clarke, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, Milice, Myers, Radcliff, Ralston, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 41 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 49—An Act to permanently locate the boundary line between the counties of Shasta and Plumas

Assembly Bill No. 164—An Act to amend Section 164 of an Act entitled "An Act to establish a uniform system of county and township governments"

Assembly Bill No. 292—An Act to provide for the payment of P. W. Forbes for costs of suit in foreclosing delinquent purchasers of State school lands, and making an appropriation therefor

Assembly Bill No. 331—An Act to amend Section 374 of an Act entitled "An Act to establish a Penal Code."

Assembly Bill No. 382—An Act to provide for the appointment of a trustee who shall accept the gift of land, purchase a monument, and properly mark the spot where the treaty of Cahuenga was made, and appropriating money therefor.

Assembly Bill No 447—An Act making an appropriation to pay claims for conveying children to the Home for Feeble-Minded Children at Eldridge

Assembly Bill No. 669—An Act limiting the hours of daily service of laborers, workmen, and mechanics employed upon the public works of, or work done for, the State of California, or any political subdivision thereof, providing for the insertion of certain stipulations in contracts for public works, imposing penalties for violations of the provisions of this Act, and providing for enforcement thereof.

Assembly Bill No 472—An Act to provide for certain improvements in the Yosemite Valley, and making an appropriation therefor.

Assembly Bill No. 316—An Act to amend an Act entitled "An Act to provide for incorporation, operation, and management of cooperative associations," approved March 27, 1895.

Assembly Bill No 515—An Act to amend Section 10 of an Act entitled "An Act to provide for the organization and management of county fire insurance companies," approved April 1, 1897.

Assembly Bill No 690—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 fiftieth fiscal year.

And were presented to the Governor this day at nine o'clock and forty minutes A. M.

Also: Assembly Bill No. 764—An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections—and was presented to the Governor this day at eleven o'clock and thirty minutes A. M.

FRANKLIN, Chairman

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No. 477—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson—having had the same under consideration, respectfully report the same back *without recommendation.*

Also: Senate Bill No. 527—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions, and officers, and directing the disposition of the same." approved March 17, 1899, relating in the amendment to the contingent funds of the State prisons

Also: Senate Bill No. 234—An Act to amend Section 871, of the Code of Civil Procedure, relating to judgments by default in justices' courts.

Have had the same under consideration and respectfully report the same back with the recommendation that they do pass.

Also: Senate Bill No. 331—An Act to add two new sections to the Political Code, to be numbered 3805*a* and 3805*b*, to reenact Section 3859 of said Code, and to amend Sections 3629, 3632, 3638, 3649, 3747, 3785, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said Code, all relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made—have had the same under consideration, and respectfully report the same back with amendments, and recommend that it do pass as amended.

JOHNSON, Chairman.

RECESS.

At twelve o'clock M., Speaker pro tem. Ralston declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.
Speaker pro tem. Ralston in the chair.
Quorum present.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 8, relative to adjournment—

Resolved by the Assembly, the Senate concurring, That this, the thirty-fourth session of the Legislature of the State of California, shall adjourn *sine die* on Saturday, March ninth, nineteen hundred and one, at twelve o'clock noon

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

FISK, Chairman.

RESOLUTION.

By Mr. Anderson of Solano:

ASSEMBLY CONCURRENT RESOLUTION No. 8.

Resolved by the Assembly, the Senate concurring, That this, the thirty-fourth session of the Legislature of the State of California, shall adjourn *sine die* on Saturday, March ninth, nineteen hundred and one, at twelve o'clock noon.

The following committee amendment was offered:

Amend by striking out all after the word "March," in line three, first page, printed resolution, and inserting in lieu thereof the following: "sixteenth, one thousand nine hundred and one, at twelve o'clock midnight; *provided*, that no bill shall be considered by either house on and after the hour of twelve o'clock noon of said day of adjournment."

Amendment adopted.
Assembly Concurrent Resolution No. 8, as amended, adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Committee Substitute for Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries; prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary, and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appropriation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put, directing of what funds the School Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

FISK, Chairman.

UNFINISHED BUSINESS—(RESUMED).

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city, or town.

The following amendments were offered:

By Mr. Treadwell:

Amend by striking out of line twelve the word "and," and inserting the word "but."

Amendment adopted.

By Mr. Carter:

Amend by inserting in line twelve of the printed bill, after the word "legislators," the words "by general law"

Amendment adopted.

Also:

Amend by inserting in line fifteen of the printed bill, after the word "State," the words "or of any county of this State."

Amendment adopted.

Mr. Carter moved that Assembly Constitutional Amendment No. 21 be made special order for to-morrow.

So ordered.

SECOND READING OF BILL.

Mr. Miller moved that Assembly Bill No. 871 be now considered.

So ordered.

Assembly Bill No. 871—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1319, providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritances would be paid if the decedent should be adjudged to have died intestate; also providing the grounds upon which and the time in which such contest may be made, providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest; also, providing for the dismissal of such contest.

Read second time.

SPECIAL ORDER.

Mr. Gans moved that Committee Substitute for Senate Bill No. 603 be now considered.

So ordered.

Committee Substitute for Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries; prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary, and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appropriation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put; directing of what funds the School Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools.

Read second time.

Mr. Gans moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 603.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Committee Substitute for Senate Bill No. 603 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries; prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary, and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appro-

priation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put; directing of what funds the School Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools—and do now report the same with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman.

Report adopted.

Ordered to third reading, and made "rush" order to print.

Made special order for Tuesday, March 12, 1901.

At two o'clock and twenty-five minutes P. M., the Speaker resumed the chair.

SENATE SPECIAL FILE.

SENATE CONSTITUTIONAL AMENDMENT NO. 20.

A resolution proposing to the people of the State of California an amendment to the Constitution by adding a new section to Article IV thereof, relating to establishing State highways, and providing for the construction and maintenance thereof

The Legislature of the State of California, at its thirty fourth session, commencing on the seventh day of January, Anno Domini one thousand nine hundred and one, two thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby propose that a new section be added to article four of said Constitution, to be numbered section thirty-six, and to read as follows:

Section 36. The Legislature shall have power to establish a system of State highways, or to declare any road a State highway, and to pass all laws necessary or proper to construct and maintain the same, and to extend aid for the construction and maintenance in whole or in part of any county highway.

Senate Constitutional Amendment No. 20 read.

The question being on the adoption of Senate Constitutional Amendment No. 20.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Ray moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Gans, Greer, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—59.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Ray moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and Senate Constitutional Amendment No. 20 adopted by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Greer, Guilfovle, Haley, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Sutro, Walker, Webber, Williams, and Mr. Speaker—61.

NOES—Messrs Chandler, Hanen, Laird, Roberts, Simpson, Stewart of Amador, and Wright—7

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $180, and the Treasurer is hereby instructed to pay the same, from the Contingent Fund of the Assembly, in favor of Leo Salomon, for his services as Sergeant-at-Arms and Janitor of the following committees: Roads and Highways; Counties and County Boundaries; County and Township Governments; Claims; Attachés and Employés, from January 7th to the day of adjournment *sine die*.

We indorse the above.

C. W. MERRITT,
Chairman of Committee on Roads and Highways.
DAVID F. MCWADE,
Chairman of Committee on County and Township Governments.
F. A. CROMWELL,
Chairman of Committee on Counties and County Boundaries.
LORENZO A. HENRY,
Chairman of Committee on Claims
GEO C. BROWN,
Chairman of Committee on Attachés and Employés.
WM. O. BANKS,
Sergeant-at-Arms of the Assembly.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

GEO. C BROWN, Chairman.

The roll was called.

Pending announcement of the vote, Mr. Hourigan moved a call of the House.

The roll was called, and the following answered to their names:

Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Greer, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—62.

Mr. Ralston moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Cavagnaro, Clarke, Cowan, Cromwell, Duryea, Franklin, Greer, Guilfoyle, Haley, Henry, Higby, Hourigan, Hubbard, Irving, Johnson, Kelley, Kincaid, Knight, Laird, Levinson, McLoughlin, McWade, Melick, Milice, Miller, Ray, Reeber, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—48.

NOES—Messrs. Bennink, Carter, Chiles, Dunlap, Feliz, Fisk, Gans, Hanen, Hasson, Knowland, McNeil, Ralston, Roberts, Schillig, Sheridan, Walker, and Mr. Williams—17.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

FRANKLIN, Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 539—An Act to provide for a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill, and prescribing the duties of the Controller and Treasurer in relation thereto.

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 of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Cowan, Cromwell, Duryea, Feliz, Fisk, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Johnson, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Milice, Miller, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart, of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

The question being on the final passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Carter, Chandler, Dunlap, Duryea, Franklin, Gans, Gulfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, Johnson, Knight, Knowland, Laird, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Ralston, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—46.

NOES—Messrs. Chiles, Feliz, Greer, Kincaid, Reeber, Roberts, and Simpson—7.

Title read and approved.

Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds and their eggs and nests.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Sutro moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cowan, Duryea, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Ray, Reeber, Roberts, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego Stewart of Amador, Sutro, Webber, Williams, Wright, and Mr. Speaker—60.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Schlesinger moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Cowan, Cromwell, Dunlap, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Irving, James, Johnson, Knowland, Levinson, McLoughlin, McNeil, McWade, Melick, Milice, Miller,

Myers, Radcliff, Ray, Savage, Schillig, Schlesinger, Stewart of Amador, Sutro, Walker, Williams, Wright, and Mr. Speaker—44.

NOES—Messrs. Berry, Brady, Chiles, Duryea, Feliz, Franklin, Haley, Henry, Hourigan, Hubbard, Irish, John, Kincaid, Laird, Reeber, Roberts, Sheridan, Simpson, and Stewart of San Diego—19.

Title read and approved.

Mr. Greer gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 114 was this day passed.

Mr. Guilfoyle moved that Committee Substitute for Senate Bill No. 333 (80 on file) and Senate Bill No. 305 (62 on file) be transposed on file.

So ordered.

Committee Substitute for Senate Bill No. 333—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Wm. Cronan for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Carter, Cavagnaro, Clarke, Cowan, Duryea, Feliz, Franklin, Gans, Guilfoyle, Haley, Hanen, Henry, Hourigan, Irish, James, John, Kincaid, Knight, Laird, Levinson, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Reeber, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Walker, and Mr. Speaker—41.

NOES—None

Title read and approved.

Mr. Melick moved that time of consideration of Senate bills be extended one hour.

Mr. Johnson moved to amend by extending time one half hour.

So ordered.

Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Franklin, Gans, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, James, John, Kincaid, Knight, Knowland, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ray, Reeber, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 108—An Act empowering Boards of Supervisors of any of the several counties of the State of California to levy a special tax for the purpose of displaying the products and industries of any county in the State at domestic or foreign expositions, for the purpose of encouraging immigration and increasing trade in the products of the State.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Dunlap moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Greer,

Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—65.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Ralston moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Dunlap, Duryea, Franklin, Gans, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Levinson, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Walker, and Mr. Speaker—42

NOES—Messrs Atherton, Bauer, Berry, Butler, Cavagnaro, Chiles, Cowan, Cromwell, Feliz, Fisk, Greer, Hanen, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McWade, Reeber, Roberts, Rutherford, Sheridan, Stewart of Amador, Sutro, Treadwell, Webber, and Williams—29

Title read and approved.

Mr. Fisk moved that a new roll call be had for verification.

Mr. Bliss moved to lay on table.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Fish and Game, who were instructed to visit the State Fish Hatchery at Sisson, beg leave to report as follows:

Your committee visited said hatchery on Sunday, February 24, 1901. After a careful examination into the condition and management of the hatchery, your committee found that the same was being conducted in a manner that merited the strong approbation of your committee; found the employés of the hatchery thoroughly conversant with their business, and your committee was further impressed with the economical and judicious expenditure of the funds devoted to the management of the hatchery. The premises were found clean and well kept.

There were in the hatchery, at the time that your committee visited it, 1,500,000 salmon undergoing the process of hatching None of them were more than a week old, and many were breaking through the shell of the egg. In the troughs reserved for the hatching of trout there were 500,000 eggs, or newly-hatched trout, none of them more than five days old. The percentage of diseased or dead fish was far less than one per cent. In some troughs there were no evidences whatever of a failure to hatch, and no signs of eggs that had been lost, or fish that had died or become diseased.

Your committee found that the eggs under process of hatching had been brought from the spawning grounds under a process of an exceedingly economical character. As many as five thousand eggs had been taken from one female salmon, and as many as ten thousand eggs fertilized by the milt of one male salmon under the artificial process of spawning used by the employés of the Fish Commission.

The hatchery has successfully conducted an annual hatch of salmon eggs for the last eight years. The supply of eggs used at the hatchery requires the work of eleven men for thirty days of the year. Sixteen millions of salmon have been hatched at the hatchery. The loss of eggs has been less than four per cent from the time they were taken from the fish until the young salmon have been placed in streams of the State

As to the trout, the annual hatch at the stations amounts now to two and a half million. In its trout work the Fish Commission has devoted its attention almost exclusively to the rainbow trout The other species, to wit: the German, brown, and Eastern brook trout, have been found predatory and destructive of the smaller fish in our streams. The stock maintained by the commission at the hatchery makes it possible for them to rely largely on their stock fish for trout eggs The commission is daily becoming more dependent upon its stock ponds for its trout eggs, and is relying less and less on the streams of the State for its supply. If present methods are maintained the hatchery will, in a few years, furnish its own trout spawn.

A large pond a few hundred feet from the hatchery is reserved for rainbow trout, which are left there undisturbed until the spawning, when they are put through the artificial process and returned to the pond. A small proportion of the result of each

year's hatch is also returned to the spawning pond, so that the stock fish, as they are termed, are constantly increasing and establishing what might be termed an "endless chain." The pond of the hatchery was found to be in good condition, supplied with running water, and stocked with varieties of trout which are kept largely for experimental purposes. The troughs in the hatchery were found supplied with running water. About twenty troughs were in actual use, there being in each trough baskets, each containing about one hundred thousand eggs, suspended in the running water which supplied the trough The fish and eggs were segregated according to the various stages of development in the different troughs.

The appointments at the hatchery were found satisfactory, except in one regard: The superintendent of the hatchery is at present compelled to live at some distance from the hatchery itself. The moisture in the hatchery would prevent any person from living in it; at the same time, your committee deem it necessary that the superintendent, or some one under his control, should live in the immediate vicinity of the hatchery. Under the present conditions, the grounds and ponds of the hatchery are troubled by poachers, who are able to get into the grounds at night, and whom it is difficult to detect because of the absence of any one on the grounds. Your committee recommend that a lot be purchased adjoining the hatchery, and a house constructed for the use of the superintendent and his family. An appropriation of $3,000 would fully cover this necessity.

In conclusion, your committee beg leave to express its approval of the management of the hatchery. The work, as at present conducted, your committee deems of inestimable value to the State. Your committee respectfully refers to the last report of the Fish Commission for evidences of the success with which the commission has met in increasing the run of salmon in this State.

Respectfully submitted

WM. HIGBY (Chairman)
B. H. McNEIL.
D. W. HASSON.
G. H. ANDERSON.
OSCAR SUTRO.
ARTHUR WILLIAMS.
GEO. C. BROWN.

Ordered printed in Journal.

UNFINISHED BUSINESS—(RESUMED).

Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property.

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 of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Carter, Cavagnaro, Chiles, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, Knight, Knowland, Laird, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—46

NOES—Mr. Hubbard—1.

Title read and approved.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Carter moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which reads as follows: "An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles."

Referred to Committee on Introduction of Bills.

Mr. Duryea moved that Governor's message be taken up for consideration.

So ordered.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 11, 1901.

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 145, entitled "An Act making an appropriation to pay expenses incurred by the Commission for the Revision and Reform of the Law."

It is attempted by this law to appropriate $1,120 in payment of certain expenses alleged to have been incurred by the predecessors in office of the present Commission for the Revision and Reform of the Law, for services alleged to have been performed and expenses incurred by John V. Powers, as porter to said commission

The Act of March 28, 1895, creating the commission, gave no power to employ a porter at the public expense, hence the labor, if any, performed for said members was either a charge against them personally or purely gratuitous. An examination of the records in the offices of the State Board of Examiners, and of the Code Commission, relating to the alleged services of Mr. Powers, failed to disclose any equity in the claims It appears from the minutes of said commission dated June 12, 1897, that Mr. Powers was appointed both stenographer and porter. Section 7 of the Act creating said commission fixed the salary of said stenographer at $100 a month, and the commission, without authority of law, fixed his additional salary as porter at $40 per month. It appears from the minutes that Mr. Powers farmed out his duties as stenographer to three others, to each of whom he agreed to pay $20 per month. He continued in the capacity of stenographer until May, 1899, when it appears that he was removed as stenographer, and another person given the place. It appears, also, that Mr. Powers acted as porter for the Lunacy Commission, and received pay as such at the rate of $40 per month from April 29, 1897, to May 15, 1899.

In fine, the commission entered into a contract with Mr. Powers which could only bind the members individually, and not the State, for under the laws there existed no power in the commission to employ a porter. If the agreement between the commission and Mr. Powers was that he should look to the Legislature for his compensation, as might appear from a pencil memorandum with the minutes of the commission, then the employment of Mr Powers, being without express authority of law, the Legislature would be prohibited by Section 32 of Article IV of the State Constitution from granting the recompense provided in this measure.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in Journal.

Mr. Schlesinger moved that Senate messages be taken up for consideration.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 361—An Act to amend the Political Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Also: Amended, and passed as amended, Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns of the first, first and one half, second, and third classes, wherein official matrons or their duties are not now provided for by law, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Also: Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed Assembly Bill No. 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Also: Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens, and regulating the provisions to be contained in building contracts.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 361, 394, and 449 ordered to enrollment.

Assembly Bill No. 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over

twenty thousand wherein official matrons or their duties are not now provided for by law; defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

The question being, "Shall the Assembly concur in the following Senate amendments?"

AMENDMENT No. 1

Amend by striking out of Section 1, lines two and three, the words "having a population of over twenty thousand inhabitants," and inserting the words "of the first, first and one half, second, and third classes."

AMENDMENT No. 2

Amend by striking out of Section 1, lines seven and eight, the words "which have a population of over twenty thousand inhabitants," and inserting the words "of the first, first and one half, second, and third classes."

AMENDMENT No 3.

Amend by striking out Section 3, page two, and inserting the following:

"SEC 3 The compensations of such matrons, hereby regulated in proportion to the duties to be discharged, shall be as follows, payable monthly: In and for such cities of the first class, $25 per month; in and for such cities of the first and one half class and of the second class, $65 per month; in and for such cities of the third class, $50 per month."

AMENDMENT No. 4.

Amend by striking out of title, lines two and three, the words "having a population of over twenty thousand," and inserting the words "of the first, first and one half, second, and third classes"

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Broughton, Brown of San Mateo, Carter, Chandler, Cowan, Cromwell, Dunlap, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Hubbard, Irish, Johnson, John, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 814 ordered to enrollment.

Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools.

The question being, "Shall the Assembly concur in the Senate amendments submitted as follows?"

Amend by inserting after the enacting clause at the beginning of line one, first page of printed bill, the word and figure "Section 1."

Also: Amend by striking out the word "to," in line two hundred and sixty-six of Section 1, on page eight of printed bill, and inserting in lieu thereof the word "of."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Anderson of Santa Clara, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Cowan, Cromwell, Dunlap, Feliz, Gans, Greer, Guilfoyle, Hanen, Henry, Irish, James, Johnson, Kincaid, Knowland, Levinson, McLoughlin, McNeil, Melick, Merritt, Milice, Radcliff, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 433 ordered to enrollment.

RECESS.

At four o'clock and thirty minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No 657—An Act to amend Section 1 of an Act entitled "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" approved March 31, 1897.

Also: Concurred in Assembly amendments to Senate Bill No. 164—An Act to amend Sections 1549 and 1550 of the Political Code of the State of California, relating to deputy superintendents of schools of counties, cities, and cities and counties, and providing for a clerk and stenographers for county superintendents for cities and counties, and for counties of the first class.

Also: Senate Bill No. 512—An Act to provide for the appointment of a Board of Monterey Custom House Trustees, and for the acquisition of the control of the Monterey Custom House property, and providing for an appropriation for the preservation, protection, and improvement of said property.

F. J. BRANDON, Secretary of Senate.
By F C. MICHAELIS, Assistant Secretary.

Senate Bill No. 657—An Act to amend Section 1 of an Act entitled "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 the inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act." approved March 31, 1897.

Read first time, and ordered on Senate Special File.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 463—An Act to amend Section 3819 of the Political Code of the State of California, relating to revenue and taxation.

Also: Senate Bill No 615—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 9, 1897.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 463—An Act to amend Section 3819 of the Political Code of the State of California.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 615—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 9, 1897.

Read first time, and ordered on Senate Special File, Assembly Bill No. 841 being withdrawn.

Also:

SENATE CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as case of urgency) Senate Bill No. 658—An Act to authorize and empower the Trustees of the State Normal School at San José to reconvey to the City of San José

a parcel of land situate in said city and belonging to the State of California, to the said City of San José, for the purpose of erecting and maintaining a free public library upon said parcel of land.

F J. BRANDON, Secretary of Senate.
By FRED. L. THOMAS, Assistant Secretary.

RESOLUTION—(CASE OF URGENCY).

By Mr. Wright:

Resolved, That Senate Bill No. 658 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 immediately 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 Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Gulfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—58.
NOES—None.

Senate Bill No. 658—An Act to authorize and empower the Trustees of the State Normal School at San José to reconvey to the City of San José a parcel of land situate in said city and belonging to the State of California, to the said City of San José, for the purpose of erecting and maintaining a free public library upon said parcel of land.

Read first time.

Senate Bill No. 658—An Act to authorize and empower the Trustees of the State Normal School at San José to reconvey to the City of San José a parcel of land situate in said city and belonging to the State of California, to the said City of San José, for the purpose of erecting and maintaining a free public library upon said parcel of land.

Read second time, and ordered to third reading.

Senate Bill No. 658—An Act to authorize and empower the Trustees of the State Normal School at San José to reconvey to the City of San José a parcel of land situate in said city and belonging to the State of California, to the said city of San José, for the purpose of erecting and maintaining a free public library upon said parcel of land.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Knight, Knowland, Levinson, Mattos, McLoughlin, McWade, Melick, Milice, Radcliff, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—55.
NOES—None.

Title read and approved.

At seven o'clock and fifty-five minutes P. M., Speaker pro tem. Ralston was called to the chair.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 554—An Act to prohibit the paying of employés while he or they are in any public saloon, or bar-room, or restaurant.

Read third time.

Mr. Dunlap moved that Senate Bill No. 554 be referred to a select committee of one with instructions to amend as follows:

Amend by striking out the title, and inserting in lieu thereof the following:
"Amend the Penal Code of the State of California by adding a new section thereto, to be numbered and known as section six hundred and eighty."
Also: Amend by striking out all of the bill after the enacting clause, and inserting in lieu thereof the following:
"SECTION 1. The Penal Code of the State of California is hereby amended by adding a new section thereto, to be numbered and known as section six hundred and eighty, and to read as follows:
"Section 680 Every person who shall pay any employé his wages, or any part thereof, while said employé is in any saloon, bar-room, or other place where intoxicating liquors are sold at retail, unless such employé is employed in such saloon, bar-room, or such place where intoxicating liquors are sold, shall be guilty of a misdemeanor."

Motion carried, and so ordered.
Mr. Dunlap was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No 554—An Act to prohibit the paying of employés while he or they are in any public saloon or bar-room, or restaurant—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DUNLAP, Committee

Report adopted.
Senate Bill No. 554 ordered to print and on file for final action.

SPECIAL ORDER SET.

Mr. Hanen moved that Assembly Bills Nos. 199 and 200 be made special order for Tuesday, March 12, 1901.
So ordered.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:
Assembly Bill No. 871—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1319, providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritances would be paid if the decedent should be adjudged to have died intestate; also, providing the grounds upon which and the time in which such contest may be made, providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest; also, providing for the dismissal of such contest.

FRANKLIN, Chairman.

SPECIAL URGENCY FILE.

Assembly Bill No. 517—An Act to amend Sections 3546, 3547, and 3555 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, concerning proceedings against delinquent purchasers of State lands.
Read third time.
The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Cavagnaro, Chandler, Clarke, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irving, James, John, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—49
NOES—Mr. Sheridan—1.

Title read and approved.

Assembly Bill No. 681—An Act to promote the horticultural interests of the State by providing county boards of horticultural commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing county boards of horticulture," approved March 31, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cromwell, Duryea, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, Milice, Myers, Ralston, Ray, Reeber, Roberts, Schlesinger, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 662—An Act making an appropriation to pay the claim of the "Berkeley World-Gazette" for publishing the proposed constitutional amendments.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Berry, Brown of San Francisco, Carter, Cavagnaro, Chandler, Chiles, Clarke, Evatt, Feliz, Fisk, Gans, Guilfoyle Haley, Hanen, Henry, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Knowland, Mattos, McNeil, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—44.

NOES—None

Title read and approved.

Mr. Brown of San Mateo moved that Assembly Bill No. 178 (133 on file) and Assembly Bill No. 823 (51 on file) be transposed on Special Urgency File.

So ordered.

Assembly Bill No. 178—An Act to enable steam railroad companies to complete their railroads, and authorizing the construction of railroads.

Read third time.

The roll was called, and the bill passed by the following vote.

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Cavagnaro, Chiles, Cromwell, Dunlap, Fisk, Franklin, Gans, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, Wright, and Speaker—50.

NOES—Messrs. Carter, Feliz, Guilfoyle, Knight, McLoughlin, and Treadwell—6.

Title read and approved.

Mr. McLoughlin asked for and was granted unanimous consent to have allotted to him, which he had erroneously lost, space No. 2 on Special Urgency File.

Mr. Sutro moved that Assembly Bill No. 675 be recalled from engrossment.

So ordered.

Assembly Bill No. 270—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 56 thereof, relating to justices of the peace in townships.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chiles, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hasson, Henry, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 310—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Passed on file.

Assembly Bill No. 705—An Act creating the office of Game Commissioner, and defining his duties.

Not considered, having seven objectors, as follows:

ASSEMBLY CHAMBER, March 11, 1901

MR. SPEAKER: We, the undersigned, object to the consideration of Assembly Bill No. 705.

McNEIL.
MILICE.
SUTRO
HASSON.
JOHNSON.
HANEN
KNOWLAND

SUBSTITUTION OF BILLS.

Mr. Higby asked for and was granted unanimous consent to have Senate Bill No. 580 substituted for Assembly Bill No. 705.

Senate Bill No. 580—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

Read second time, and ordered to third reading.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Not considered, having seven objectors, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: We, the undersigned, object to Senate Bill No. 483 being considered on the Special Urgency File.

F. E. DUNLAP.
H. W. BROWN.
J. W. P LAIRD.
A. S MILICE
F. H. KINCAID
ARTHUR WILLIAMS.
R. H. MYERS.

Mr. Fisk moved that Senate Bill No. 483 be made special order for Tuesday, March 12, 1901.

So ordered.

Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts; to select a site therefor and secure an option or purchase therefor. and submit sketch plans and specifications for said prison; and to investigate and report upon the

feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons, and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Carter, Clarke, Dunlap, Duryea, Gans, Greer, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Levinson, Mattos, McNeil, Melick, Merritt, Millice, Radcliff, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, and Wright—37.

NOES—Messrs. Anderson of Santa Clara, Brady, Broughton, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Evatt, Feliz, Fisk, Franklin, Gulfoyle, Henry, Hourigan, Kelley, Knight, McLoughlin, McWade, Ralston, Reeber, Roberts, Treadwell, and Mr. Speaker—24.

Mr. McWade moved that Senate messages be taken up for consideration.

So ordered.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Also: Passed (as a case of urgency) Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year.

Also: Adopted the report of the Senate conference committee, which met a like committee from your honorable body to consider the Assembly amendments to Senate Bill No. 434—An Act to amend an Act entitled "An Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés," approved February 6, 1889—which report recommended that the Senate concur in the Assembly amendments to said bill.

Also: Passed Senate Bill No 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Read first time, ordered on Senate Special File, and Assembly Bill No. 533 withdrawn.

Assembly Bill No. 606 ordered to enrollment.

Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

SPECIAL ORDER SET.

Mr. McWade moved that Senate Bill No. 650 be made a special order for to-morrow morning without reference to committee.

So ordered.

NOTICE OF RECONSIDERATION.

Mr. Cowan gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 428 was this day refused passage.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 694—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway

system of Humboldt County with the highway system of Shasta County, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Reeber, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, and Mr. Speaker—47

NOES—Messrs. Anderson of Santa Clara, Bennink, Brown of San Francisco, Carter, Cavagnaro, Clarke, Higby, Myers, Radcliff, Ralston, Schillig, Treadwell, Walker, and Wright—14.

Title read and approved.

Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, fixing the salaries of officers in counties of the twentieth class.

Read third time.

Mr. Duryea moved that Assembly Bill No. 647 be referred to a select committee of one, to amend as follows:

Amend by striking out of line thirty-seven, page two, printed bill, the words "twenty-four," and inserting in lieu thereof the word "thirty"

Motion carried, and so ordered.

Mr. Duryea was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, fixing the salaries of officers in counties of the twentieth class—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DURYEA, Committee

Report adopted.

Assembly Bill No. 647 ordered to print, engrossment, and on file for passage.

Assembly Bill No. 546—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 parents to the counties from which their children are committed."

Read third time.

The roll was called. and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kincaid, Knight, Mattos, McLoughlin, McNeil, McWade, Melick, Myers, Radcliff, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 675—An Act to amend Sections 3629, 3632, 3638, 3649, 3716, 3771, 3807, 3884, and 3899 of the Political Code, relating to the assessment and collection of taxes.

The bill having been recalled from engrossment, Mr. Sutro moved to amend as follows:

Amend by striking out of the title the words "three thousand six hundred and forty-nine."

Also: By striking out of lines two and three in Section 1 the words "thirty-six hundred and forty-nine."

Also: By striking out of line six in Section 1 the word "eighty," and inserting after the last word "and," in line six of Section 1, the word "ninety."

Amendments adopted.

Also:

Amend the title by striking out the figures "3629."

Amendment adopted.

Also:

Amend by striking out of Section 1, line one, the words "thirty-six hundred and twenty-nine."

Amendment adopted.

Also:

All after the word "follows," in line eighty-seven, Section 1, to and including the word "included," in line sixty-one of Section 1.

Amendment adopted.

Also.

Amend by inserting after the word "assessed," in line ninety-eight of Section 1, the words "to the owner thereof."

Amendment adopted.

Also:

Amend by striking out of Section 1 all after the word "property," in line ninety-nine, to and including the word "life," in line one hundred and eleven, and inserting after the word "paid," in line one hundred and seventeen, the words "or the property sold for the payment thereof."

Amendment adopted.

Also:

Amend by striking out of Section 1, lines one hundred and nineteen and one hundred and twenty, the word "real," and the words "on which the lien for delinquent personal property taxes is attached."

Amendment adopted.

Assembly Bill No. 675 ordered to print, engrossment, and third reading.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which such soliciting is prohibited.

FRANKLIN, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 680—An Act to establish the California State Poultry Experimental Farm, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Cowan, Cromwell, Dunlap,

Duryea, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Hanen, Irish, Irving, Johnson, John, Kincaid, Knight, Levinson, Mattos, McLoughlin, McNeil, McWade, Merritt, Myers, Ralston, Reeber, Rutherford, Schillig, Sheridan, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Assembly Bill No. 857—An Act to add Section 2757 to the Civil Code of the State of California.

Withdrawn by author.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Judiciary, to whom was referred Senate Bill No 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer—having had the same under consideration, report the same back without recommendation.

Also: Senate Bill No 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California—having had the same under consideration, report the same back with two amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 486—An Act to add a new section to the Political Code of the State of California, to be known as Section 4088, providing for Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of same.

Also: Senate Bill No 253—An Act to amend Section 2955 of the Civil Code of the State of California, relating to the mortgaging of personal property in the State of California.

Having had the same under consideration, report the same back, and recommend that they do pass.

JOHNSON, Chairman.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 855—An Act to add a new section to the Civil Code numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Mr. Treadwell moved that a select committee of one be appointed to amend Assembly Bill No. 855 as follows:

Strike out all of lines three to eight of the printed bill, and insert in place thereof the following:

"Section 638*a*. A stockholder desiring to withdraw from the association or to surrender a part or all of his stock, may do so by giving sixty days' notice, in writing, of his intention. On the expiration of such notice, he is entitled to receive the full amount paid in upon the stock surrendered, together with such proportion of the earnings thereon as the by-laws may provide, or as may be fixed by the board of directors; but not more than one half of the monthly receipts in any one month must be applied to withdrawals for that month without the consent of the board of directors, and no stockholder must be permitted to withdraw whose stock is pledged to the association as security for a loan until such loan is fully paid. Such withdrawals must be paid in succession in the order that the notices of intention are given."

Motion carried, and so ordered.

Mr. Treadwell was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

TREADWELL, Committee.

Report adopted.

Assembly Bill No. 855 ordered to print, engrossment, and on file for final action.

Assembly Bill No. 661—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Withdrawn by author.

At nine o'clock and forty minutes P. M., the Speaker resumed the chair.

Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Chandler, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Hasson, Henry, Irish, Irving, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Melick, Milice, Myers, Ralston, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Assembly Bill No. 640—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by adding thereto a section, to be known and designated as Section 25½, authorizing Boards of Supervisors to prohibit soliciting in unincorporated towns, and to define the limits within which soliciting is prohibited.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bauer, Berry, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irish, Irving, James, John, Kincaid, Knight, Knowland, Levinson, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker Williams, and Mr. Speaker—45.

NOES—Mr. Mattos—1.

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

At nine o'clock and fifty minutes P. M., Mr. McWade moved that time of consideration of Special Urgency File be extended thirty minutes.

So ordered.

Assembly Bill No. 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments."

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Milice, Radcliff, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½, being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth

classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Berry, Broughton, Cavagnaro, Chandler, Clarke, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Haley, Hanen, Hasson, Henry, Hourigan, Irving, James, Johnson, Kincaid, Knight, Levinson, McNeil, McWade, Melick, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—41

NOES—Messrs. Greer, Knowland, and Mattos—3.

Title read, and amended as follows:

By Mr. Greer:

Amend by striking out of the title the words "and fifth," and inserting the word "and" after the word "third."

Amendment adopted.

Assembly Bill No. 815 ordered to print and enrollment.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chiles, Clarke, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, McLoughlin, McNeil, McWade, Melick, Milice, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—50.

NOES—Messrs. Greer, John, and Ralston—3

Title re-read and approved.

Mr. Schlesinger moved that Assembly Bill No. 845 be withdrawn and Assembly Bill No. 871 substituted in its place on the file.

So ordered.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Read third time.

Mr. Bauer moved that a select committee of one be appointed to amend Assembly Bill No. 583 as follows:

In Section 1, line nineteen of the printed bill, strike out the word "six," and insert the word "five."

Also: In Section 1, line thirty-one of printed bill, strike out the words "the certificate upon which the"

Also: In Section 1, line thirty-two of the printed bill, strike out the words "was originally issued."

Motion carried, and so ordered.

Mr. Bauer was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

BAUER, Committee.

Report adopted.

Assembly Bill No. 583 ordered to print, reengrossment, and on file for final action.

Mr. Broughton moved that Assembly Bill No. 408 be made a special order for Tuesday, March 12, 1901.

So ordered.

Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor. and fixing a punishment upon conviction therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Feliz, Fisk, Franklin Gans, Greer, Guilfoyle, Haley, Hanen, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, McNeil, McWade, Melick, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 866—An Act to prevent the sale of drugs, chemicals, or pharmaceutical preparations under one roof, known as department stores, in municipal corporations of the first class.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Bennink, Berry, Brady, Broughton, Cavagnaro, Cromwell, Duryea, Franklin, Gans, Haley, Hanen, Irving, Kincaid, Levinson, Milice, Rutherford, Savage, Stewart of San Diego, Treadwell, Walker, Webber, and Wright—22

NOES—Messrs. Bliss, Carter, Cowan, Dunlap, Feliz, Greer, Guilfoyle, Hourigan, Knight, Knowland, Mattos, McWade, Melick, Radcliff, Ralston, Roberts, Schillig, Schlesinger, Sutro, and Mr. Speaker—20.

ADJOURNMENT.

At ten o'clock and thirty minutes P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, March 12, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Ralston in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Webber, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Saturday, March 9, 1901, was read, corrected, and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as case of urgency) Senate Bill No 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

SPECIAL ORDER SET.

Mr. Feliz moved that Assembly Bill No. 288 (217 on file) be made special order for Wednesday, March 13, 1901.

So ordered.

SPECIAL ORDERS.

Committee Substitute for Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Textbook Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries; prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary, and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such textbooks; making an appropriation to be known as the Text-Book Appropriation, and specifying the uses to which it may be put; directing of what funds the School Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irving, Johnson, John, Kincaid, Knight,

Knowland, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Roberts, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—58.

NOES—Mr. Laird—1.

Title read and approved.

Senate Bill No. 552—An Act creating the office of Game Commissioner, and defining his duties.

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 of Solano, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Cavagnaro, Chandler, Clarke Cowan, Cromwell, Evatt, Feliz, Gans, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, Kelley, Knight, Levinson, McNeil, McWade, Merritt, Milice, Myers, Radcliff, Ralston, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Walker, Webber, Williams, and Wright—46

NOES—Messrs. Atherton, Brown of San Mateo, Chiles, Collins, Franklin, Greer, Gulfoyle, Haley, Hubbard, John, Kincaid, Laird, Melick, Roberts, and Stewart of Amador—15

Title read and approved.

Assembly Bill No. 408—An Act entitled "An Act to prevent the sale of raw materials and the manufacture in penal institutions in the State of California of any article of commerce other than jute bags, cut stone for arches in bridges and culverts for State highways, county or district roads; broken stone for State and county roads, streets, lanes, alleys, and courts of cities and towns, and articles consumed in State institutions, and to provide for the sale thereof at actual cost of production.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kelley, Kincaid, Knight, Laird, McNeil, McWade, Melick, Milice, Myers, Ralston, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Williams—52.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolution:

Resolved, That the State Printer be and he is hereby authorized and directed to print for the use of the members of the Assembly 2,000 copies each of enrolled Assembly Bills Nos. 683 and 764, and Committee Substitute for Senate Bill No 138. The Controller is hereby authorized to draw his warrant therefor in favor of the State Printer for the sum of $850, payable from the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same The Sergeant-at-Arms of the Assembly is hereby directed to deliver twenty-five copies of each of said bills to each of the members of the Assembly, and to take his receipt therefor.

Have had the same under consideration, and respectfully report the same back with the recommendation that the following substitute for said resolution be adopted:

Resolved, That the State Printer be and he is hereby authorized and directed to print for the use of the members of the Assembly 2,000 copies each of enrolled Assembly Bills Nos. 683 and 764, and Committee Substitute for Senate Bill No. 138 The Controller is hereby authorized to draw his warant therefor in favor of the State Printer for the sum of $850, payable from the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same The Sergeant-at-Arms of the Assembly is hereby directed to deliver twenty-five copies of each of said bills to each of the members of the Assembly, and to take his receipt therefor.

COWAN, Acting Chairman.

Report and resolution adopted.

RESOLUTION.

By Mr. Bliss:

Resolved, That the sum of $300 is hereby appropriated from the Contingent Fund of the Assembly for the purpose of branding all the furniture belonging to the Assembly chamber and for the use of the different committees; also, for the purchase of boxes, packing, marking, and shipping of all papers and documents belonging to Assemblymen to their places of residence at the close of the session. The Controller is hereby authorized and directed to draw his warrant in favor of W. O Banks, Sergeant-at-Arms of the Assembly, for the above amount ($300), and the State Treasurer is hereby authorized and directed to pay the same.

Referred to Committee on Ways and Means.

SPECIAL ORDER RESET.

Mr. Carter moved that Assembly Constitutional Amendment No. 21, to have been considered at eleven o'clock A. M., be postponed until three o'clock and thirty minutes P. M.

So ordered.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Read third time.

Mr. Dunlap moved that a select committee of one be appointed to amend Senate Bill No. 483 as follows:

Strike out all of line twenty-six, page two, of printed bill, after the word "price"; also, all of lines twenty-seven, twenty-eight, and twenty-nine of same page; also, the word "it" in line thirty of same page.

The question being on the motion to appoint a select committee of one.

Roll call was demanded by Messrs. Fisk, Guilfoyle, and Ray.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Brown of San Mateo, Chandler, Cowan, Cromwell, Dunlap, Feliz, Hubbard, James, John, Kincaid, Knowland, Laird, Mattos, Melick, Myers, Radcliff, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of Amador, Walker, and Williams—28.

NOES—Messrs. Bliss, Brady, Broughton, Butler, Cavagnaro, Clarke, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, Knight, McLoughlin, McNeil, McWade, Merritt, Ralston, Ray, Roberts, Savage, Schilig, Stewart of San Diego, Treadwell, Webber, Wright, and Mr Speaker—34

Mr. Cowan moved that a select committee of one be appointed to amend Senate Bill No. 483 as follows:

Strike out all after "corporations," in line nine, to and including the word "business." in line ten, Section 1, and insert "exercise or operate such franchises"

The question being on the appointment of select committee of one to amend Senate Bill No. 483.

Roll call was demanded by Messrs. Guilfoyle, Fisk, and Cowan.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Schlesinger moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk,

Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Myers, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—68.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Ray moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the motion to appoint a select committee lost by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap Feliz, Gans, Hanen, Irish, James, John, Kincaid, Knowland, Laird, Levinson, Mattos, Melick, Myers, Schillig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Walker, and Williams—34.

NOES—Messrs. Bliss, Brady, Brown of San Francisco, Butler, Carter, Clarke, Collins Duryea, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, Kelley, Knight, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Ray, Roberts, Savage, Simpson, Stewart of San Diego, Treadwell, Wright, and Mr Speaker—36.

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

The question being on the final passage of the bill.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Fisk moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—65.

Mr. Cowan moved that further proceedings under call of the House be dispensed with.

Mr. Fisk moved to lay motion on the table.

Roll call was demanded by Messrs. Cowan, Schlesinger, and Sutro.

The roll was called, and motion to lay on the table carried by the following vote:

AYES—Messrs Bauer, Bliss, Brady, Broughton, Butler, Carter, Clarke, Collins, Evatt, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Johnson, Kelley, Knight, Macbeth, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Ray, Savage, Schillig, Simpson, Stewart of San Diego, Treadwell, and Mr. Speaker—35.

NOES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Berry, Cavagnaro, Chandler, Cowan, Cromwell, Dunlap, Duryea, Feliz, Hanen, Irish, James, John, Kincaid, Knowland, Laird, Levinson, Mattos, Melick, Roberts, Schlesinger, Sheridan, Stewart of Amador, Sutro, Walker, Williams, and Wright—30.

The hour of recess having arrived during call of the House, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

The Assembly having taken a recess during call of the House, the Speaker declared further proceedings under call of the House dispensed with, by unanimous consent.

The absentees were called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Santa Clara, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Collins, Evatt Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, Kelley, Knight, McLoughlin, McNeil, McWade, Merritt, Ralston, Ray, Savage, Simpson, Stewart of San Diego, Treadwell, Webber, Wright, and Mr. Speaker—36.

NOES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Cavagnaro, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Hanen, Irish, James, John, Kincaid, Knowland, Laird, Levinson, Mattos, Melick, Miller, Myers, Radcliff, Roberts, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Walker, and Williams—38.

NOTICE OF RECONSIDERATION.

Mr. Fisk gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 483 was this day refused passage.

BILLS TRANSPOSED ON FILE.

Mr. Duryea moved that Senate Bill No. 124 (50 on file) and Senate Bill No. 224 (119 on file) be transposed on file.

So ordered.

SENATE SPECIAL FILE.

Senate Bill No. 224—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Read second time.

Mr. Duryea moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 224.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 224 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 224—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyers' Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 224 ordered to third reading.

SPECIAL ORDER.

Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

Read second time.

The following amendments were ordered printed in the Journal, and Senate Bill No. 650, with pending amendments, made special order for Wednesday morning, March 13, 1901:

By Mr. Radcliff:

Amend by striking out of Section 170, line thirty-one, the period after the word "annum," and inserting a comma, and the following: "and actual traveling expenses when visiting the schools of his county."

Also: Amend by striking out of Section 170, lines twenty-two, twenty-three, twenty-four, and twenty-five the words "and an assistant district attorney, when the Board of Supervisors deem necessary, said assistant to be appointed by the District Attorney, and at a salary to be fixed by the Board of Supervisors," and inserting after the word "annum," in line twenty-one of said section, a period in place of the comma.

Also: Amend by striking out of Section 170, line sixty-five, the words "herein provided for," and inserting the following: "as provided in Section 215 of the County Government Act, approved 1897, wherein it provides certain fees and commissions for the Assessor and License Collector."

By Mr. Chandler:

Amend by striking out of subdivision thirteen, line sixty-seven, page thirty-eight, the word "eighty," and inserting the word "ninety."

Also: Amend by striking out of subdivision fourteen, line seventy-six, page thirty-eight, the word "eighty," and inserting the word "ninety."

Also: Amend by adding the following: "The provisions of this section shall take effect thirty days after the passage of this Act."

By Mr. Berry:

Amend by striking out of Section 28, line ten, the word "twenty-four," and insert the words "three thousand" in lieu thereof.

Also: Strike out the word "eighteen," in line twelve, and insert in lieu thereof the words "two thousand."

Also: Strike out the words "nine hundred," in line thirteen, and insert in lieu thereof the words "one thousand."

Also: Strike out in lines forty-five and forty-six the word "seventy-five," and insert in lieu thereof "one hundred."

By Mr. Milice:

Amend by striking out of Section 24, line fifty-five, page seventy-three, the word "twelve," and inserting in lieu thereof the word "fifteen."

Also: Amend by striking out of Section 24, line thirty-two, page seventy-two, the word "change," and inserting the word "charge."

By Mr. Stewart of San Diego:

Amend by inserting after line eighty-six thereof the following:

"18. Each member of the Board of Education shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile, one way only, from his residence to the place of meeting of said board. The secretary of said Board of Education shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of said board and of said secretary shall be paid out of the same fund as the salary of the Superintendent of Schools. Claims of such service and mileage shall be presented to the Board of Supervisors and shall be allowed at the rate above named, and in the same manner as other claims against the county are allowed. The compensation of the members of the County Board of Education herein provided is not in addition to that provided in section seventeen hundred and seventy of the Political Code."

By Mr. Irving:

Amend by striking out of Section 44, page one hundred and twenty-nine of printed bill, all of subdivision sixteen thereof.

By Mr. Cromwell:

Amend by striking out of Section 11, line one hundred and thirteen, page thirty-six, the word "three," and inserting the word "four."

By Mr. John:

Amend by striking out of Section 29, line ten, page eighty-seven, the words "twelve and one half," and inserting in lieu thereof the word "five."

Also: Amend by adding in Section 29, line fourteen, page eighty-seven, after the word "recorded," the following: "*provided*, that the six cents per folio for recording shall go into effect immediately."

Also: Amend by adding to Section 29, line twenty, page eighty-seven, after the word "annum," the following. "*provided*, that the salary for the deputy shall take effect immediately."

Also: Amend by striking out of Section 29, line forty-one, page eighty-eight, the word "eight," and inserting in lieu thereof the word "five."

By Mr. McWade:

Amend by striking out of Section 7, line three hundred and forty-three, the word "Act," between the words "this" and "shall," and inserting the word "section"

Also: Amend by striking out of Section 8, line fifty-three, the word "first" after the word "January," and inserting between the words "to" and "January" in said line fifty-three, "twelve o'clock meridian on the first Monday after the first day of January."

Also: Amend Section 8, line one hundred and seventy-one, by inserting the word "verified" between the words "a" and "statement."

Also: Amend by striking out of Section 21, line ninety-three, the word "Act," between the words "this" and "so," and inserting the word "section."

Also: Amend by striking out of Section 34, line one hundred and forty, the word "Act," between the words "this" and "shall," and inserting the word "section"

Also: Amend by striking out of Section 38, line one hundred and forty, the words "nineteen of this Act," and inserting before the word "section," the word "this"

Also: Amend by striking out of Section 43, line one hundred and twenty-nine, the word "Act," and inserting the word "section."

Also: Amend by striking out of Section 55, line fifty-four, the word "Act," and inserting the word "section."

Also: Amend by striking out of Section 59, page one hundred and fifty-two, line one, *et seq.*, the word and figures "Sec. 59," and following down to and including the words "for any one district," lines eight and nine, same page

By Mr. Laird:

Amend Section 30 by adding thereto a new subdivision, to be known as subdivision fifteen, and to read as follows:

"15. The official reporter of the Superior Court shall receive, as full compensation in taking notes in civil and criminal cases tried in said court, a monthly salary of one hundred and fifty dollars, payable out of the county treasury at the same time and in the same manner and from the same fund as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of fifteen 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"

By Mr. Duryea:

Amend by striking out of Section 32, line thirty-seven, page ninety-three, printed bill, the word "twenty-four," and inserting the word "thirty."

By Mr. Melick:

Amend by striking out Section 7, and inserting the following:

"SEC. 7. Section one hundred and fifty-nine of an Act entitled "An Act to establish a uniform system of county and township governments," approved April first, eighteen hundred and ninety-seven, is hereby amended to read as follows:

"Section 159. In counties of the second class the county and township officers shall receive, as compensation for the services required of them by law, the following salaries, to wit:

"1. The County Clerk, three thousand dollars per annum, *provided*, that in counties of this class there shall be and there hereby is allowed to the County Clerk the following deputies, who shall be appointed by the County Clerk, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; two registry clerks at a salary of one hundred and twenty-five dollars each per month, one clerk of the Board of Supervisors at a salary of one hundred and twenty-five dollars per month, and six court-room clerks at a salary of one hundred and fifteen dollars each per month, one recording clerk, one file clerk, one index clerk, one clerk in charge

of criminal records, at eighty dollars each per month; one miscellaneous clerk and one assistant clerk of the Board of Supervisors at a salary of ninety dollars each per month; one clerk at a salary of seventy-five dollars per month; one clerk at a salary of forty-five dollars per month; one deputy at a salary of twenty-five dollars per month, six clerks at a salary of seventy dollars each per month, for not exceeding one month for any one year The salaries of the deputies and clerks herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Clerk is paid

"2 The Sheriff, three thousand six hundred dollars per annum, *provided*, that in counties of this class there shall be and there is hereby allowed to the Sheriff an under sheriff and the following deputies and stenographers, who shall be appointed by the Sheriff of said county, and shall be paid salaries as follows: One under sheriff at a salary of one hundred and twenty-five dollars per month; one bookkeeper at a salary of one hundred and twenty-five dollars per month; eight deputies at a salary of ninety dollars each per month; six court deputies at a salary of ninety dollars each per month; four jail deputies at a salary of seventy dollars each per month; one jail matron at a salary of fifty dollars per month, one stenographer at a salary of sixty dollars per month The salaries of the under sheriff and all deputies and stenographers herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund that the salary of the Sheriff is paid. The Sheriff shall also receive the amount of money necessarily expended by him in serving all processes and notices, and the same shall be a charge against the county, and allowed as such by the Board of Supervisors, and paid as other county charges are paid. 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.

"3 The Recorder, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Recorder the following deputies and copyists who shall be appointed by the Recorder of said county, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; two deputies at a salary of ninety dollars each per month, two deputies at a salary of eighty-five dollars each per month, four deputies at a salary of eighty dollars each per month; two deputies at a salary of seventy-five dollars each per month, not to exceed four months in any one year; and as many copyists as may be required, who shall receive as compensation for their services the sum of five and one-half cents per folio for recording any instrument or notice, except maps or plats, for copies of any record or paper, five cents per folio The salaries and compensation of all deputies and copyists herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Recorder is paid.

"4 The Auditor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Auditor the following deputies and clerks, who shall be appointed by the Auditor, and who shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one deputy at a salary of one hundred and ten dollars per month, one deputy at a salary of ninety dollars per month; two deputies at a salary of eighty dollars each per month; and forty clerks at a salary of seventy-five dollars each per month, not to exceed one month each in any one year, 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. The salaries of the chief deputy, deputies and clerks herein provided for shall be paid by the county in monthly installments, at the same time, in the same manner and out of the same fund as the salary of the Auditor

"5. The Treasurer, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Treasurer one chief deputy, who shall be appointed by the Treasurer, and shall be paid a salary of one hundred and twenty-five dollars per month, also one deputy at a salary of ninety dollars per month. The salaries of the deputies herein provided for shall be paid by said county in monthly installments, at the same time, in the same manner and out of the same fund as the salary of the Treasurer.

"6. The Tax Collector, three thousand dollars per annum; which shall be full compensation for all services rendered by him; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector the following deputies and clerks, who shall be appointed by the Tax Collector, and shall be paid salaries as follows: One chief deputy at a salary of one hundred and twenty-five dollars per month; one cashier, two report clerks, one general clerk, at a salary of one hundred dollars each per month; one corresponding clerk at a salary of ninety dollars per month, one license clerk at a salary of ninety dollars per month, and two license inspectors at a salary of seventy-five dollars each per month; three clerks at a salary of seventy-five dollars each per month; one clerk at a salary of ninety dollars per month, not to exceed four months in any one year; thirty-four clerks at a salary of seventy-five dollars each per month, not to exceed four months each in any one year. There is also allowed not to exceed four hundred dollars for traveling expenses for the license tax collector each year The salaries of the chief deputy and all the clerks and deputies herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Tax Collector.

"7. The District Attorney, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the District Attorney the following deputies and employés, who shall be appointed by the District Attorney of said county, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and seventy-five dollars per month; two deputies, at a salary of one hundred and fifty dollars each per month, one deputy, at a salary of one hundred and twenty-five dollars per month; one deputy, at a salary of one hundred dollars per month; one stenographer, at a salary of one hundred dollars per month; *provided further*, that nothing herein contained shall be construed to prevent the Board of Supervisors of said counties of this class from employing special counsel when, in the judgment of said board, the interests of said county require it The salaries of the deputies, stenographer, and special counsel herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the District Attorney.

"8 The Assessor, three thousand dollars per annum, which shall be full compensation for all services rendered by him; *provided*, that in counties of this class there shall be and hereby is allowed to the Assessor the following deputies and clerks, who shall be appointed by the Assessor, and shall be paid salaries as follows: One chief deputy, at one hundred and twenty-five dollars per month; one second deputy, at a salary of one hundred and fifteen dollars per month, one valuation clerk, at a salary of eighty-five dollars per month; one transfer clerk, at a salary of eighty-five dollars per month; twenty field deputies for not exceeding one month in any one year, at a salary of one hundred dollars each per month; twenty-five field deputies for not exceeding three months in any one year, at a salary of ninety dollars each per month; fifteen field deputies for not exceeding two months in any one year, at a salary of one hundred dollars each per month; five field deputies for not exceeding three months in any one year, at a salary of one hundred dollars each per month; five field deputies for not exceeding four months in any one year, at a salary of ninety dollars each per month, four clerks for not exceeding four months in any one year, at a salary of ninety dollars each per month; one clerk for not exceeding three months in any one year, at a salary of ninety dollars per month; nineteen clerks for not exceeding four months in any one year, at a salary of eighty dollars each per month; four clerks and one stenographer for not to exceed four months in any one year, at a salary of sixty dollars each per month; five clerks for not exceeding four months in any one year, at a salary of eighty dollars each per month; fifteen clerks, copyists, and indexers for not to exceed four months in any one year, at a salary of sixty dollars each per month, and one messenger for not exceeding four months in any one year, at a salary of thirty dollars per month The salaries of the deputies, stenographer, and clerks herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Assessor is paid It is hereby *further provided*, that in counties of this class the Assessor shall receive no commission for his collection of taxes on personal property, nor shall such Assessor receive any compensation or commission for the collection of poll-taxes or road poll-taxes, nor shall the said Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty, as provided by section nineteen hundred and one of the Political Code.

"9 The Coroner, two thousand four hundred dollars per year and his actual necessary traveling expenses when traveling outside of the county seat. He must hold inquests, as prescribed by chapter two, title twelve, part two, of the Penal Code, except that he may in his discretion dispense with a jury. The Coroner, or other officer holding an inquest upon the body of a deceased person, may subpœna a physician or surgeon to inspect the body, or a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or hold a post mortem examination of the deceased, and give his professional opinion as to the cause of death, and shall cause the testimony given by the witness to be reduced to writing, under his direction, and may employ a clerk or stenographer for such purpose, as now provided by law.

"10 The Public Administrator, three thousand dollars per annum

"11 The Superintendent of Schools, three thousand dollars per annum, which shall be in full for all services, including attendance upon the Board of Education, and actual necessary traveling expenses, not to exceed five dollars each for every school district in the county; *provided*, that in counties of this class there shall be and there hereby is allowed to the Superintendent of Schools one assistant and deputy, and one stenographer, who shall be appointed by the Superintendent of Schools of said county, and shall be paid salaries as follows: One assistant at a salary of one hundred and twenty five dollars per month; one deputy at a salary of one hundred dollars per month, and one stenographer at a salary of seventy-five dollars per month The salaries of the assistant, deputy, and stenographer herein provided for shall be paid by the county in the same manner and at the same time and out of the same fund as the Superintendent of Schools is paid

"12. The Health Officer, one thousand two hundred dollars per annum, and special health officers, when appointed as in this Act provided, one hundred dollars each per annum. The salary of the Health Officer and special health officers shall be paid by the county in the same manner and at the same time as other county officers are paid.

"13 The Surveyor, ten dollars per day for all work performed, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that in counties of this class there shall be and there hereby is allowed to the Surveyor one chief deputy and seven draughtsmen, who shall be appointed by the Surveyor of

said county, and shall be paid salaries as follows. One chief deputy at a salary of one hundred and twenty-five dollars per month; five draughtsmen at a salary of two hundred dollars each per month, and one draughtsman at a salary of seventy-five dollars per month. The salaries of the chief deputy and the draughtsmen herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner as the deputies of other county officers are paid.

"14 Supervisors, one thousand eight hundred dollars per annum, together with mileage, at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties, either as Road Commissioners or Supervisors, not exceeding in the aggregate five hundred dollars each per annum. They shall also receive their necessary expenses when attending meetings of the State Board of Equalization.

"15 Justices of the Peace, such fees as are now or may be hereafter allowed by law; *provided*, that no Justice of the Peace shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month, for all services rendered by him in criminal cases, or in actions or proceedings to which the people of the State of California are or may be parties; and no claim of any such Justice of the Peace in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid; but all fines and fees collected by every such justice on the account aforesaid shall belong to and be the property of the county in which such justice exercises his jurisdiction. And each of such justices shall report, under oath, on the first Monday of each month to the Board of Supervisors of such county, the amount of all fines and fees collected by him, on the account aforesaid, during the preceding month, and shall, on said date, deposit with the County Treasurer, to the credit of the county, all such fines and fees as may be shown by said report to have been collected by him He shall also transmit the Treasurer's receipt for said payment to said Board with the said report; *provided further*, that the Boards of Supervisors of such counties may, in townships having a population of more than thirty-five thousand, provide such justices, or any of them, with an office and the necessary furniture and supplies for the Justice's Court.

"*And provided further*, that the Boards of Supervisors in said counties and in townships having more than thirty-five thousand inhabitants, shall, upon the recommendation of the Township Justice or Justices, appoint a clerk for the Justice's Court, which clerk shall hold office for the term of two years from and after his appointment, and shall receive a salary of one hundred dollars per month, payable in like manner, at like times and out of the same fund as county officers are paid, by the county; said clerk shall take and file an oath of office in like manner as county officers, and after being appointed and qualifying as hereinbefore prescribed, shall have power to administer and certify oaths to affidavits, and all papers, documents or instruments used in or in connection with the actions and proceedings of such Justice's Court. Such clerk shall perform such other clerical service as may be required of him by the justice or justices.

"16 Constables, such fees as are now or may hereafter be allowed by law, *provided*, that no Constable shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month, for all services rendered by him in all criminal cases, or in actions or proceedings to which the people of the State of California are or may be made parties, and no claim of any such Constable, in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid; but all fees collected by every such Constable, on the account aforesaid shall belong to and be the property of the county in which such Constable has been elected or appointed And each of said Constables shall report under oath, on the first Monday of each month, to the Board of Supervisors of such county, the amount of all fees collected by him on the account aforesaid during the preceding month, and shall on said date deposit with the County Treasurer, to the credit of the county, all such fees as may be shown by said report to have been collected by him He shall also transmit the Treasurer's receipt for said payment to said board, with his said report.

"17 In counties of this class, the official reporter of each department of the Superior Court shall receive, as full compensation for taking notes in said court, a monthly salary of two hundred dollars, payable out of the county treasury at the same times and in the same manner as the salaries of county officers He shall, without further compensation, act as amanuensis to the judge of such department of the Superior Court For transcription of his shorthand notes, said reporter shall receive ten cents per folio of one hundred words for the original and half that sum per folio for each copy made at the same time, to be paid, in criminal cases, out of the county treasury upon order of the court, and in civil cases by the party ordering the same; or, if ordered by the court, to be paid by the parties in such proportion as the court may direct; and when, in civil cases, transcript is made by order of the court, the portion of the fees therefor paid by the prevailing party shall be taxed as costs in the case

"In each civil case in which the services of the reporter are required, the sum of six dollars per diem for each day of the trial thereof shall be paid to the clerk of the court, in advance, one half by each party, or in such other proportion as the court may direct; *provided*, that where the services of the reporter are required in a case consuming no more than one half day's session of court, the amount so paid shall be three dollars All per diem fees so collected shall be paid by the clerk into the treasury of the county. The portion of the per diem fees in each case paid by the prevailing party shall be taxed as costs in the case.

"15. All Acts and parts of Acts in conflict with this Act are hereby repealed

16. This section shall take effect and be in force from and after January first, nineteen hundred and three, in all matters except as to commissions on poll-taxes allowed the County Assessor In that respect, it is the intention of this Act that this section shall take effect immediately so that the Assessor shall from and after the passage of this Act turn into the county treasury all commissions collected on poll-taxes"

By Mr. Carter:

Amend by inserting in line two hundred and fifteen, page fourteen, the words "one clerk"

Also: Amend by inserting, after the word "assistant," in line two hundred and twenty, page fourteen, the word "clerk."

Also: Amend by striking out of Section 7, line three hundred and forty-three, page eighteen of the printed bill, the word "Act," and inserting in lieu thereof the word "section."

By Mr. Webber:

Amend by striking out of Section 31, line ninety-three, page ninety-two, the words "fourteen and fifteen," and inserting in lieu thereof the words "thirteen and fourteen."

By Mr. Knowland:

Amend by striking out of Section 8, subdivision six, line two hundred and ninety-seven, page twenty-six, after the word "month," the following: "This Act, so far as it relates to counties of the third class, shall take effect immediately as to the Justices of the Peace and Constables, but shall not affect the compensation of others officers during the present term of office."

Also: In Section 8, subdivision seventeen, page twenty-six, line three hundred and nine of printed bill, after the word "treasury," insert the following: "This Act, so far as it relates to counties of the third class, shall take effect immediately as to Justices of the Peace, Constables, and official reporters, but shall not affect the compensation of other officers during the present term of office"

By Mr. McWade:

Amend Section 8, line one hundred and seventy-one, printed bill, by inserting, after the words "County Auditor a," the word "verified"

By Mr. Atherton:

Amend by striking out of page ninety-four, Section 186, line ten, subdivision one of printed bill, the words "three thousand," and insert in lieu thereof the words "twenty-eight hundred"

Also: On page ninety-five, line fourteen, subdivision three, strike out the word "eight," and insert in lieu thereof the word "seven"

Also: In line sixteen, subdivision four, strike out the word "two," and insert in lieu thereof the word "one."

Also: In line eighteen, subdivision five, strike out the words "two thousand."

Also: Strike out all of subdivision fifteen, and insert the following:

"15 Each Supervisor, five dollars per day when the board is in session, not exceeding five hundred dollars per annum, and ten cents per mile for traveling to and from his residence to the county seat at each session, and unless otherwise provided by law, when serving as Road Commissioner, three dollars per day. But he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner"

By Mr. Brown of San Mateo:

Amend by striking out of Section 36, line sixty-eight, the words "to court or."

Also: By inserting in line ninety-six the word "and" before the word "fifteen"

Also: By striking out of line ninety-seven the words "and sixteen."

By Mr. Sheridan:

Amend by striking out Section 49 and inserting the following:

"SEC. 49. Section two hundred and two (202) of an Act entitled "An Act to establish a uniform system of county and township governments," approved April first, eighteen hundred and ninety-seven, is hereby amended to read as follows:

"Section 202. In counties of the forty-fifth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

"1. The County Clerk, thirteen hundred dollars per annum

"2 The Sheriff, twenty four hundred dollars per annum and the fees or commissions for service of all papers issued by any court of the State outside of his county, and his actual and necessary traveling expenses while executing a warrant outside of his county, issued by a magistrate or court within his county.

"3 The Recorder, thirteen hundred dollars per annum.

" 4. The Auditor, seven hundred dollars per annum
" 5 The Treasurer, one thousand dollars per annum.
" 6 The Tax Collector, five hundred dollars per annum.
" 7. The Assessor, fifteen hundred dollars per annum
" 8 The District Attorney, one 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, eight hundred dollars per annum, and actual and necessary traveling expenses when visiting schools of his county.
"12. The Surveyor, such fees as are now or may be hereafter allowed by law
"13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.
"14 Constables, such fees as are now or may be hereafter allowed by law.
"15. Each member of the Board of Supervisors, four dollars a day when the board is in session, and ten cents a mile, in going only, for traveling from his residence to the county seat, and actual and necessary expenses; *provided*, he shall not in any one year receive more than three hundred dollars as Supervisor, exclusive of mileage, nor more than two hundred dollars as Road Commissioner, exclusive of traveling expenses"

By Mr. Bennink:

Amend by striking out of Section 15, page forty-six, line sixty-nine, the word "ninety," and inserting the words "one hundred"

Also: On page forty-seven Section 15, line ninety, strike out the word "eighty-five," and insert the words "one hundred"

By Mr. Wright:

Amend by striking out of Section 9, page twenty-seven, all of subdivision ten, and inserting the following: "The Coroner, such fees as are now or may hereafter be allowed by law."

Also: Strike out of page twenty-eight, subdivision eleven of Section 9, printed bill, the words "three hundred dollars per annum, and."

By Mr. Hubbard:

Amend by inserting in Section 26, line one hundred and ninety-five, the word "twenty-six" before the comma and the words "the population," on page eighty-three.

Also: Amend by striking out of Section 26, lines one hundred and ninety-nine and two hundred, the words "and shall apply to present incumbents."

Also: Amend by striking out of Section 52, line ten, page one hundred and forty-one, the words "eight hundred," and inserting the words "one thousand."

Also: Strike out of line eleven, same section, the words "four hundred," and insert the words "five hundred"

Also: Strike out of lines thirty-three and thirty-four, page one hundred and forty-two, the words "provided however," and insert the words "it is further provided."

By Mr. Dunlap:

Amend by adding on page forty, line twenty-one, printed bill, after the word "annum," the words "and five per cent on all licenses collected."

By Mr. Haley:

Amend by striking out of Section 15, page one hundred and twenty-seven, all after the word "month," in line ninety-six.

Also: On page one hundred and twenty-seven, line ninety-six, strike out the word "ten," and insert in lieu thereof the word "twenty."

By Mr. Johnson:

Amend by striking out of Section 10, line ten, the word "nine," and inserting in lieu thereof the word "twelve."

By Mr. Greer:

Amend Section 10, page thirty-one, line sixty-two, after the word "law," by adding the following: "*Provided*, the Coroner, or other officer holding an inquest upon the body of a deceased person, may subpœna a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or a physician or surgeon to inspect the body, or hold a post-mortem examination of the deceased, and give a professional opinion as to the cause of death; and shall cause the testimony of all the witnesses at such inquest to be reduced to writing under his directions, and may employ a clerk or stenographer for such purpose at the same compensation allowed to stenographers in the Superior Court of the county, and, when such testimony is taken down by a stenographer, his transcription thereof, duly certified to, shall constitute the deposition of such witnesses"

By Mr. Johnson:

Amend Section 10 by inserting after the word "law." in line seventy-eight, page twenty-nine of the printed bill, the following: "except that the Justice of the Peace in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred dollars per month in lieu of all fees in criminal cases, payable as the salaries of other county officers are paid."

Also: Amend by inserting after the word "law," in line eighty, page twenty-nine of the printed bill, the following: "except that the Constables in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred dollars per month each for all services in criminal cases, payable as the salaries of other county officers are paid."

Also: Amend Section 10 by striking out all of lines thirty-eight and thirty-nine of said section, page thirty-one of the printed bill, and inserting in lieu thereof the following:

"3 The Recorder, three thousand dollars per annum The Recorder may appoint two deputies at a salary of twelve hundred dollars each per annum, and also one deputy at a salary of nine hundred dollars per annum; the salaries of such deputies to be paid at the same time and in the same manner county officers are paid.

"4 The Auditor, twenty-four hundred dollars per annum. The Auditor may appoint a deputy at a salary of twelve hundred dollars per annum; the salary of the deputy auditor to be paid at the same time and in the same manner county officers are paid."

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER. Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 23—An Act to provide for the quieting and confirmation of titles to real property

Assembly Bill No 124—An Act to provide for the construction of a State highway, or model wagon road, from Sacramento City to Folsom, in Sacramento County, and appropriating money and crushed rock, and granite or stone blocks, for drains and culverts therefor.

Assembly Bill No 505—An Act defining what moneys constitute the Contingent Fund of the California Home for the Care and Training of Feeble Minded-Children, and providing for the expenditure thereof

Assembly Bill No 435—An Act to amend an Act entitled "An Act to provide for the appointment, duties, and compensation of a Débris 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

Assembly Bill No. 807—An Act to provide one additional Judge of the Superior Court of the County of Alameda

Assembly Bill No 422—An Act making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital, at Stockton, to pay for constructing a roof on the building of the female department of the State Hospital, situated in the City of Stockton.

Assembly Bill No 584—An Act to provide for the location, construction, and maintenance of a State highway commencing at a point in Contra Costa County at or near the residence of W. H. Buckley on the Fish Ranch Road, and running thence to the western end of what is known as Kennedy's Tunnel, in Alameda County, creating the Alameda Contra Costa Highway Fund, prescribing the salaries of the various officers in connection therewith, and making an appropriation therefor.

Assembly Bill No 93—An Act to secure to native-born and naturalized citizens of the United States the exclusive right to be employed in any department of the State, county, city and county, or incorporated city or town government in this State

Assembly Bill No. 565—An Act to provide for the erection at Folsom State Prison of a building for the accommodation of the insane prisoners, and making an appropriation therefor

Assembly Bill No 249—An Act to provide for the location, construction, and maintenance of a State highway connecting the highway system of Santa Barbara County with the highway system of Kern County, and making an appropriation therefor

Assembly Bill No 737—An Act making an appropriation of $2,500, to be used by the Board of Managers of the Stockton State Hospital at Stockton to repair the boilers in the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Assembly Bill No 812—An Act to amend Sections 1912, 1917, 1918, 1920, 1936, 1939, 1946, 1962, 1982, 1984, 1985, 2076, 2077, and 2094; to repeal Sections 1981, 1983, 1990, 1992, and 2032, and to add a new section to be known and numbered as Section 1973*a*, all of and to the Political Code of the State of California, relating to the National Guard

Assembly Bill No. 198—An Act to appropriate $21,000 for the purchase of additional lands for the use of the Mendocino State Hospital; to purchase sewer pipe to conduct the sewage of said hospital to the said additional lands; to purchase dairy cows for the use of said hospital.

Assembly Bill No. 41—An Act to provide for a segregated hospital building, and for further equipping of the Deaf, Dumb, and Blind Asylum at Berkeley.

Assembly Constitutional Amendment No. 25—To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 17 of Article XX, relating to the hours of labor on public work

And were presented to the Governor this 12th day of March, 1901, at nine o'clock and forty minutes A. M.

Also: Report that the following bills have been correctly engrossed:

Assembly Bill No. 73—An Act to amend Section 144 of the Code of Civil Procedure

Assembly Bill No 624—An Act entitled an Act to appropriate the sum of $211.61 to pay the claim of B. A. Johnson for supplies furnished the National Guard of California during the month of July, 1894.

Assembly Bill No 848—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians and who are not confined at State hospitals for the insane.

Assembly Bill No. 803—An Act to amend Section 1 of an Act entitled "An Act to amend an Act entitled '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 its proceeds,' approved March 24, 1893,' approved March 9, 1897," which became a law March 14, 1899.

Assembly Bill No 752—An Act making an appropriation to pay the claim of W J. Ping for rent paid for house at Glen Ellen, while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Assembly Bill No 695—An Act to amend Section 4046 of the Political Code of the State of California by adding another subdivision, to be known and numbered subdivision twenty-seven, pertaining to the Board of Supervisors

Assembly Bill No 687—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Assembly Bill No. 638—An Act to amend Section 2653 of the Political Code, relating to highways.

Assembly Bill No. 507—An Act to amend Sections 2641, 2644, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known and designated as Section 2642, and Section 2642½, relating to the election, appointment of, and oath and bond of Road Overseers.

Assembly Bill No 470—An Act to appropriate the sum of $1,856 78 to pay the claim of Howard M. Sitton, on bond No 592 of the State of California issued under the Act of the Legislature of the State of California, approved April 25, 1857, entitled an Act authorizing the Treasurer of the State to issue bonds for the payment of expenses incurred in the suppression of Indian hostilities in certain counties of the State.

Assembly Bill No 461—An Act to compel employers to furnish surgical and medical attendance for employés injured during working hours in mills, factories, shipyards, foundries, and other places where fixed machinery is used.

Assembly Bill No. 432—An Act to amend Section 1 of an Act entitled "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," approved March 18, 1897.

Assembly Bill No 400—An Act to amend Section 538 of the Code of Civil Procedure of the State of California, relating to attachments in civil actions.

Assembly Bill No. 650—An amendment to an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending Section 194 thereof, relating to county officers, their compensation and expenses, in counties of the forty-third class.

Assembly Bill No 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

FRANKLIN, Chairman.

SENATE SPECIAL FILE.

Senate Bill No. 310—An Act to regulate the practice of pharmacy and sale of poisons in the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Gans, Greer, Guilfoyle, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—56.

NOES—Mr. Chandler—1

Title read and approved.

Senate Bill No. 12—An Act to validate certain acts and proceedings had under an Act of the Legislature of the State of California entitled

"An Act to provide for the organization and government of drainage districts for the drainage of agricultural lands other than swamp and overflowed lands," approved March 31, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Laird, Mattos, McNeil, Melick, Milice, Myers, Ralston, Ray, Roberts, Savage, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Mr. Brown of San Mateo moved that Senate Bill No. 392 (103 on file) and Senate Constitutional Amendment No. 13 (53 on file) be transposed on file.

So ordered.

Senate Bill No. 392—An Act concerning confirming and ratifying leases and other contracts made by any officer or boards of officers of this State.

Read third time.

Pending discussion, at three o'clock and fifty minutes P. M., Mr. Ralston moved that time for consideration of Senate Special File be extended until the subject under consideration be disposed of.

So ordered.

Mr. Johnson moved to refer Senate Bill No. 392 to a select committee of one, with special instructions to amend, by inserting, at the end of Section 2, the following:

"*Provided, however*, that said lease shall not be or become effective for any purpose until the parties thereto execute, in due form, a proviso, and addition thereto in the following language, viz:

"It is further agreed, by and between the parties hereto, that the party of the first part shall have, and is hereby given, full power and authority to decide all questions arising between the parties hereto as to whether or not the party of the second part has fully, and in good faith, complied with all the terms and conditions of this lease by said party of the second part to be done and performed, and whether or not any of the terms or conditions of this lease have been violated by the party of the second part, and that the decision of said party of the first part upon any and all said questions shall be final and binding upon said party of the second part and all other persons

"2. That said party of the second part will, in case of any violation of any of the terms or conditions of this lease, forfeit and pay to the party of the first part the sum of one hundred thousand dollars as liquidated damages therefor, which said sum of one hundred thousand dollars is hereby agreed upon by the parties hereto as the amount of said liquidated damages, and as the amount of damages to be, and that will be, suffered by said party of the first part, by reason of any violation of the terms or conditions of this lease by said party of the second part, because, from the nature of the case, it is impracticable and extremely difficult to fix the actual damage that will be sustained by said party of the first part.

"3. That said party of the second part hereby agrees that, in case of any litigation arising between the parties hereto, or their successors or assigns, regarding this lease, or its provisions, or the rights or privileges of either party hereunder, the said party of the second part, in consideration of the rights and privileges granted by this lease, will litigate the same in the courts of the State of California, and will not appeal, or apply in any manner, to the courts of the United States with reference to said litigation, and said party of the second part does hereby waive any and all right it may have to appeal or apply to the courts of the United States, with reference to any or all questions concerning this lease, or the rights or privileges of either party hereunder.

"4 That said party of the second part hereby agrees to vacate the premises covered by this lease immediately upon receiving written notice from said party of the first part, that, in the judgment of said party of the first part, the party of the second part has violated any of the provisions of this lease

"5. That said party of the second part will, in case of any litigation arising between the parties hereto regarding the terms or conditions or violation of this lease, cooperate with the party of the first part to the end that said litigation may be speedily heard and determined.

"6. That said party of the second part does hereby, as security that it will, in good faith, perform all the terms and conditions of this lease by it to be done or performed, deposit with the party of the first part a bond, duly executed by some solvent security company, acceptable to said party of the first part, and conditioned, in proper manner, to the satisfaction of the party of the first part, in the penal sum of one hundred thousand dollars."

Mr. Cowan raised the point of order that amendments were not germain to the question, as the Assembly could only ratify or reject the lease.

The Speaker ruled the point of order well taken.

Mr. Ralston moved that the hour of recess be extended until the subject under consideration be disposed of.

So ordered.

Mr. Anderson of Solano moved the previous question.

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 Senate Bill No. 392 passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Cavagnaro, Chandler, Clarke, Cowan, Cromwell, Dunlap, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, James, John, Kelley, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice Miller, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—61.

NOES—Messrs. Brady, Chiles, Collins, Evatt, Franklin, Greer, Hasson, Henry, Hubbard, Johnson, Kincaid, Laird, and Simpson—13.

Title read and approved.

EXPLANATION OF VOTES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR SPEAKER: I wish to explain my vote on Senate Bill No. 392. I voted "aye" because I believe the people of the State, and especially of San Francisco, wish this lease ratified. The various commercial bodies of San Francisco have indorsed it, and I do not feel that I can disregard their wishes. My personal views are that the State should retain the possession and control of this property; but in deference to what I consider the wishes of my constituents, I have voted to ratify this lease.

ARTHUR G. FISK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901

MR. SPEAKER: I desire to explain that my reasons for voting "aye" upon Senate Bill No 392 are that the people of California, and particularly the commercial bodies and the people of San Francisco, desire the ratification of this lease, and because I realize the great value of more transportation facilities. Personally, I believe the period of the lease is too great; that the privileges granted under such a lease will, before the expiration of fifty years, have become of such immense value that the return made to the State will be inadequate.

FRANK D. MACBETH.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I voted for Senate Bill No. 392 because I believe it will be of vast benefit to the commercial and farming interests of the State in providing added facilities in the way of transportation and competition in rates and fares, which later will result in big advantage to the people.

WARREN M. JOHN

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: In voting for Senate Bill No. 392, I do so for the reason that the people I represent think that it will be a good thing for the city, State, and for the Mission district and Potrero. While I do not believe that the city or State should lease any property for a period of fifty years, I also believe that I should do as my people desire.

W. J. GUILFOYLE.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR SPEAKER: Your Committee on Rules and Regulations report the following temporary rule:

That the business to be considered at this evening's session shall be the Special Urgency File and Assembly Special File, and no other business shall be considered at said session, except by unanimous consent.

That at the sessions of the Assembly to be held on March 13, 1901, the order of business shall be the consideration of the Senate Special File.

DUNLAP, Chairman

Report adopted.

RECESS.

At four o'clock and forty-five minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

Also: Report that the following bills have been correctly enrolled:

Assembly Bill No 361—An Act to amend the Penal Code by adding a new section, to be known as Section 637*a*, relating to game.

Assembly Bill No 814—An Act creating the office of matron of the jail or prison in and for cities and towns having a population of over twenty thousand wherein official matrons, or their duties, are not now provided for by law; defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bonds by, such matron.

Assembly Bill No. 433—An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools

Assembly Bill No 394—An Act authorizing and directing the State Board of Health to conduct examinations relative to the purity of foods, drinks, and drugs, to enforce laws relating thereto, and making an appropriation to pay the expenses of such examinations.

Assembly Bill No. 449—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be numbered 1183½, relating to mechanics' liens, and regulating the provisions to be contained in building contracts.

And were presented to the Governor this day, at three o'clock and ten minutes P M.

FRANKLIN, Chairman

EXPLANATION OF VOTES.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I desire to explain my vote on Senate Bill No. 392. I voted "no" because I did not think the interests of the State were properly protected in the lease, and I considered Mr. Johnson's argument on that point unanswerable, and wholly unanswered in the debate.

J. W. P LAIRD.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901

MR. SPEAKER: My vote in favor of Senate Bill No. 392 was given against my own best judgment, which is that said bill does not sufficiently protect the interests of the State; and that the rent reserved in the lease ratified thereby is inadequate. I so voted because of the seemingly unanimous demand for the passage of the bill by the people and commercial interests of San Francisco.

E. D. KNIGHT.
E. F TREADWELL.

Assembly Bill No. 619 ordered restored to its place on file.

SPECIAL ORDERS.

Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Cavagnaro, Clarke, Cowan, Cromwell, Dunlap, Gans Greer, Guilfoyle, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Reeber, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 200—An Act to provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Feliz, Gans, Greer, Guilfoyle, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

SPECIAL URGENCY FILE.

Senate Bill No. 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the numerals "XXII," and inserting in lieu thereof the numerals "XX."

Amendment adopted.

AMENDMENT No. 2

Amend by striking out the word "twenty-two," in lines four and five, of Section 1, and inserting in lieu thereof the word "twenty."

Amendment adopted.

Senate Bill No. 569 ordered to print and third reading.

RECONSIDERATION OF ASSEMBLY BILL.

Mr. Milice moved that the vote whereby Assembly Bill No. 428 was on last legislative day refused passage be reconsidered.

The roll was called, and the vote reconsidered by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Cavagnaro, Cowan, Cromwell, Dunlap, Fisk, Gans, Guilfoyle, Hanen, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos,

McLoughlin, Melick, Milice, Miller, Myers, Radcliff, Ray, Rutherford, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Walker, Webber, and Wright—43.

NOES—Messrs. Anderson of Solano, Brady, Butler, Chiles, Evatt, Feliz, Franklin, Greer, Henry, Hourigan, McNeil, Ralston, Reeber, Savage, Treadwell, and Mr. Speaker—16.

Mr. Anderson of Solano moved that Assembly Bill No. 428 be made special order for Friday, March 15, 1901.

Mr. Cowan moved to amend by making it special order for Wednesday, March 13, 1901.

Motion of Mr. Cowan carried.

Motion of Mr. Anderson of Solano, as amended, carried.

At eight o'clock and ten minutes P. M., the Speaker called Mr. Bauer to the chair.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 871—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1319, providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritances would be paid if the decedent should be adjudged to have died intestate; also, providing the grounds upon which and the time in which such contest may be made, providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest; also, providing for the dismissal of such contest.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Bauer, Bennink, Bliss, Brady, Broughton, Cavagnaro, Chiles, Clarke, Cowan, Cromwell, Dunlap, Evatt, Franklin, Gans, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, Kincaid, Knowland, Levinson, McLoughlin, McWade, Melick, Miller, Radcliff, Ray, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Walker, Webber, Williams, and Mr. Speaker—42.

NOES—Messrs. Atherton, Barnes, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Feliz, Hanen, Irish, Johnson, Knight, Laird, Mattos, McNeil, Roberts, Savage, Stewart of Amador, and Treadwell—18.

Title read and approved.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Mr. Bauer moved that Assembly Bill No. 583 be made special order for Wednesday, March 13, 1901.

So ordered.

Assembly Bill No. 832—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, and Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Cavagnaro, Chiles, Collins, Cromwell, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irish, Irving, James, Johnson,

Kincaid, Knight, Knowland, Levinson, McLoughlin, McNeil, McWade, Melick, Milice, Myers, Radcliff, Roberts, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—48.

NOES—None.

Title read.

Mr. Stewart of San Diego moved to amend title as follows:

Amend by inserting in the title of Assembly Bill No. 832 after the figures "1887," in line five, of page one, of printed bill, the following words: "providing for the disposition by sale or otherwise of property owned by irrigation districts."

Title, as amended, approved, and bill ordered to print and enrollment.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No 267—An Act appropriating money for the maintenance and improvement of the water system of the Preston School of Industry, including the construction of a settling reservoir.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Roberts, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—58.

NOES—None

Title read and approved.

Mr. Webber asked and was granted unanimous consent to withdraw Assembly Bill No. 550 and have Senate Bill No. 415 (75 on file) substituted therefor on file.

Senate Bill No. 415—An Act making appropriation of money for the reconstruction and repair of the sewer pipes and connections, and the plumbing and connections, of the Napa State Hospital at Napa.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Reeber, Roberts, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—53

NOES—None

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 717—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 in the State when contracting for or purchasing goods or other property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irish, Irving, Johnson, Kincaid, Knight, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Miller, Ralston, Reeber, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—57.

NOES—None.

Title read and approved.

At eight o'clock and forty-five minutes P. M., the Speaker called Mr Knowland to the chair.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cromwell, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, McNeil, McWade, Melick, Merritt, Miller, Reeber, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Treadwell, Webber, and Mr. Speaker—51

NOES—None.

Title read and approved.

Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Hanen, Hourigan, Irish, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Merritt, Ralston, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Webber, Williams, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Cowan, Feliz, Foster, Gans, Greer, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, Knight, Knowland, Laird, McWade, Melick, Merritt, Miller, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, and Webber—43

NOES—None.

Title read and approved.

Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Higby, Irish, Irving, James, Kincaid, Knight, Knowland, Mattos, McWade, Melick, Miller, Ralston,

Reeber, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—51.

NOES—None.

Title read and approved.

QUESTION OF PERSONAL PRIVILEGE.

Mr. Knight rose to a question of personal privilege and wholly denied the newspaper charges made against him on the statement of C. J. Peterson, a recently discharged Bill Filer of this Assembly, and stated the facts in relation to his discharge.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR SPEAKER. Your Committee on Introduction of Bills, to whom was referred the following bill, herewith return the same, with the recommendation that the author be not permitted to introduce it. The title of said bill is as follows: "An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles."

Senate Bill No. 659 is now in the Assembly (as a case of urgency), the same being identical with accompanying Assembly bill, which is hereby refused permission to be introduced.

RALSTON, Chairman

Report adopted.

SPECIAL ORDER CONTINUED.

Mr. Carter moved that Assembly Constitutional Amendment No. 21 be continued as special order.

So ordered.

SPECIAL ORDER SET.

Mr. McWade moved that Senate Bill No. 469 be made special order for Wednesday, March 13, 1901.

So ordered.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 739—An Act to provide for the purchase of livestock, vehicles, and farm equipments for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and making an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Rutherford, Savage, Schlesinger, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 14.

To propose to the people of the State of California an amendment to the Constitution of the State, amending Section 15 of Article XX, relating to liens of mechanics, artisans, laborers, materialmen, sub-contractors, and contractors.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its regular session, commencing on the seventh day of January, nineteen hundred and one, two thirds of all members elected to each house concurring, hereby

proposes that section fifteen of article twenty of the Constitution of said State be amended so as to read as follows, to wit:

Section 15. Mechanics, artisans, laborers of every class, materialmen, sub-contractors, and contractors shall have a lien upon the property upon which they have bestowed labor or furnished material for the value of such labor done and material furnished, which said liens shall rank in the following order, viz:

First—All persons performing manual labor in, on, or about the same;

Second—Persons furnishing materials;

Third—Sub-contractors;

Fourth—Original contractors.

And the Legislature shall provide by law for the speedy and efficient enforcement of such liens.

Amendment read.

The question being on the adoption of Assembly Constitutional Amendment No. 14.

The roll was called, and Assembly Constitutional Amendment No. 14 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 853—An Act to permit and enable the people of the State of California to express by ballot their preference of a person for the office of United States Senator at the general election in 1902.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Chandler, Chiles, Collins, Dunlap, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, and Williams—49.

NOES—Messrs. Bauer and Ralston—2.

Title read and approved.

At nine o'clock and forty-eight minutes P. M., the Speaker resumed the chair.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 15.

A resolution to propose to the people of the State of California an amendment to Article IV of the Constitution, relative to private claims against the State

Resolved by the Assembly, the Senate concurring, That the Legislature of the state of California, at its regular session commencing on the seventh day of January, Anno Dom ni nineteen hundred and one, two thirds of the members elected to either house voting in favor thereof, hereby propose that article four of the Constitution be amended by adding a new section thereto, to be known as section thirty-two and one half, to read as follows, to wit:

Section 32½. The Legislature shall neither audit nor allow any private claim or account against the State, but may appropriate money to pay such claims as shall have been audited and allowed according to a general law

Amendment read.

The question being on the adoption of Assembly Constitutional Amendment No. 15.

The roll was called, and Assembly Constitutional Amendment No. 15 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, Kincaid, Knowland,

Laird, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Roberts, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr. Speaker—57.

NOES—Mr. Wright—1.

NOTICE OF MOTION TO RECONSIDER.

Mr. Greer gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly passed Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds and their eggs and nests—and further moved that the matter be postponed one day.

So ordered.

ASSEMBLY SPECIAL FILE—(RESUMED).

Assembly Bill No. 877—An Act to divide the State into districts for the election of Railroad Commissioners therein, and providing for the term and election of such commissioners, pursuant to Section 22 of Article XII of the Constitution of the State of California.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bauer, Bennink, Cromwell, Fisk, Greer, Guilfoyle, Knight, Knowland, Mattos, McWade, Melick, Merritt, Milice, Savage, Stewart of San Diego, Treadwell, and Walker—19.

NOES—Messrs. Anderson of Santa Clara, Brown of San Mateo, Carter, Chiles, Cowan, Feliz, Franklin, Haley, Hanen, Higby, Hubbard, James, Johnson, Kincaid, Laird, Levinson, McNeil, Miller, Ralston, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Sutro, Webber, and Williams—27.

NOTICE OF RECONSIDERATION.

Mr. Carter gave notice that on next legislative day he would move to reconsider the vote whereby Assembly Bill No. 877 was this day refused passage.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Wednesday, March 13, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber,

Roberts, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—69.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Webber, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Monday, March 11, 1901, was read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 782—An Act making an appropriation to pay the claim of Napa County against the State of California for the support of indigent orphans, half-orphans, and abandoned children—have had the same under consideration, and respectfully report the same back, and recommend that it do not pass.

Also: Senate Bill No. 272—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California.

Also: Senate Bill No. 274—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 155—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

FISK, Chairman.

Senate Bill No. 155—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 155.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 155 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 155—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year—and do now report the same back with amendments, and recommend that the same do pass as amended

PENDLETON, Chairman.

Report adopted.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend by striking out the word "fiftieth," in line five, Section 1, first page, printed bill, and inserting in lieu thereof the word "fifty-second."

Amendment adopted.

AMENDMENT No 2.

Amend by striking out the words "fifty-one and seventy-five one hundredths." in lines one and two, Section 1, first page, printed bill, and inserting in lieu thereof the words "and fifteen and fifty-five one hundredths."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "fiftieth," in line four, of title, first page, printed bill, and inserting in lieu thereof the word "fifty-second."

Amendment adopted.

Ordered to third reading, "rush" order to print, and made special order for Thursday, March 14, 1901.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 566—An Act making an appropriation to pay claim of Louis Schuckman for the arrest and conviction of J. C. Sharpe, for attempted highway robbery—have had the same under consideration, and respectfully report the same back, and recommend that it do pass

Also: Senate Bill No. 245—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court

Also: Senate Bill No. 553—An Act to establish a State reform school for females under the age of eighteen years, 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.

FISK, Chairman

ON FISH AND GAME

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No 839—An Act to provide for removing obstructions in Eel River, to enable salmon to reach upper waters thereof, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

HIGBY, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901.

MR SPEAKER. Your Committee on Judiciary, having had under consideration Assembly Bill No 266—An Act to amend Section 1970 of the Civil Code of the State of California, relating to obligations of employers.

Also Assembly Bill No. 405—An Act to amend Section 1970 of the Civil Code of the State of California, in relation to the obligations of employers.

Also: Assembly Bill No 406—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1572 of the Civil Code of the State of California, in relation to the obligations of employers

Also: Assembly Bill No 553—An Act to limit the meaning of the word "conspiracy," and also the use of "restraining orders" and "injunctions," as applied to disputes between employers and employés in the State of California.

Also: Assembly Bill No. 552—An Act to amend Section 1970 of the Civil Code of the State of California, relating to employés' liability.

Report the same back, with the recommendation that they do pass.

JOHNSON, Chairman.

REPORTS OF COMMITTEES OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1901.

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 434—An Act to amend an Act to provide for the proper sanitary condition of factories and workshops, and the preservation of the health of the employés, approved February 6,

1889—report that we have met a like committee of the Senate, consisting of Senators Shortridge, Leavitt, and Curtin, and we report that the conference committee agreed upon and recommend the adoption of Assembly amendments.

GUILFOYLE,
JOHNSON,
Committee of Conference of Assembly.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1901

MR. SPEAKER: Your committee of conference concerning Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—report that we have met a like committee of the Senate, consisting of Senators Currier, Nutt, and Welch (Senator Welch absent), and we report that the conference committee recommends that the Senate concur in the Assembly amendments.

C. R. STEWART,
Chairman of Committee of Conference of Assembly

Report adopted.

APPOINTMENT OF RECEPTION COMMITTEE TO PRESIDENT MCKINLEY.

The Speaker announced the following reception committee, under provisions of Senate Concurrent Resolution No. 5: Messrs. Johnson, Anderson of Solano, Kelley, Fisk, Brown of San Mateo, Schillig, Webber, Cowan, and James.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 12, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 222—An Act appropriating the sum of $611.30 to pay the claim of F. Phillips against the State of California

Also: Senate Bill No. 508—An Act to amend Section 3440 of the Civil Code of the State of California, relating to certain transfers presumed fraudulent, and regarding the recording of notices of intention to sell certain personal property.

Also: Refused to concur in the Assembly amendments to Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Also: Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

And respectfully ask your honorable body to recede therefrom.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Mr. Hasson moved that the Assembly recede from its amendment to Senate Bill No. 277.

Mr. Anderson of Solano moved as a substitute that the Assembly adhere to its amendment, and that a committee of conference be appointed.

The roll was called, and the Assembly adhered to its amendment by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Cavagnaro, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Franklin, Greer, Guilfoyle, Hanen, Higby, Irving, James, John, Kincaid, Mattos, Melick, Milice, Roberts, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Walker, Webber, Williams, and Mr. Speaker—41.

NOES—Messrs. Bennink, Broughton, Carter, Chandler, Clarke, Foster, Gans, Haley, Hasson, Johnson, Knight, Knowland, Laird, Levinson, McNeil, McWade, Merritt, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Stewart of Amador, Sutro, Treadwell, and Wright—27

The Speaker appointed as such conference committee Messrs. Anderson of Solano, Stewart of San Diego, and Higby.

Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein.

Mr. Carter moved that the Assembly adhere to its amendments to Senate Bill No. 477, and that a committee of conference be appointed.

The roll was called, and the Assembly adhered to its amendments by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Clarke, Collins, Cromwell, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Roberts, Rutherford, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—54.

NOES—Messrs Feliz, Haley, Hanen, Laird, Myers, Reeber, and Schlesinger—7.

The Speaker appointed, as such committee of conference, Messrs. Johnson, Duryea, and Rutherford.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 499—An Act to amend the Code of Civil Procedure by adding a new section to Part III, Title II thereof, relative to contesting elections, said section to be numbered 1128

Also: Assembly Bill No. 109—An Act to amend Sections 1186, 1187, and 1188 of the Political Code of the State of California, relating to political conventions, nominations, and political committees.

Also: Assembly Bill No. 684—An Act to amend the Code of Civil Procedure of the State of California by adding thereto seven new sections, to be numbered 1060, 1061, 1062, 1062*a*, 1062*b*, 1062*c*, and 1062*d*, to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee or grantee may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property or any part thereof, so that the purchaser, incumbrancer, mortgagee, or grantee or pledgee of such property will take, own, and possess such property unaffected by such action and suit or the judgment which may be rendered therein, to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment in said action upon the said undertaking.

Also: Assembly Bill No 685—An Act to amend the Code of Civil Procedure of the State of California by adding thereto six new sections, to be numbered 710, 711, 712, 713, 713*a*, and 713*b*, to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor; to release the property so claimed from the levy and lien of said execution; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court or admitted.

F. J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Senate Bill No. 499—An Act to amend the Code of Civil Procedure by adding a new section to Part III, Title II thereof, relative to contesting elections, said section to be numbered 1128.

Read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 109, 684, and 685 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No. 597—An Act to provide for the

compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts.

Also: Amended, and adopted as amended, Assembly Joint Resolution No 15—Relative to the "Humboldt Indian Claims"—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Concurred in Assembly amendments to Senate Bill No. 603—An Act amending Section 1874 of the Political Code, providing for a Board of State Text-Book Commissioners; authorizing them to revise, compile, manufacture, and distribute school text-books; prescribing their duties relating to copyrights, engravings, plates, and other matters for printing and publishing school text-books; authorizing the payment of royalties for use of copyrighted matter, and for the performance of other acts necessary to procure a first-class uniform series of school text-books; granting powers to said commissioners to prescribe and enforce the use of such school text-books, and to adopt a list of supplementary books and a list of apparatus for use in the common schools and district school libraries; prescribing books for use in various branches of the common schools; authorizing such commissioners to appoint a secretary, prescribing the duties of such secretary and fixing his compensation; prescribing the duties of the Superintendent of Public Instruction upon the adoption or revision of a State series of text-books; providing that the Superintendent of State Printing have supervision over printing such text-books; making an appropriation, to be known as the Text-Book Appropriation, and specifying the uses to which it may be put; directing of what funds the School-Book Fund shall consist, and prescribing the use of the moneys in said fund; repealing Section 1519 of the Political Code, relating to the State Board of Education, County Boards of Education, and to text-books to be used in the common schools

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Joint Resolution No. 15—Relative to the "Humboldt Indian Claims."

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out of the first resolution, in lines one and two, the words, "Resolved by the Assembly of the State of California, the Senate concurring," and inserting the following: "Resolved by the Senate and Assembly of the State of California, jointly"

Amendments concurred in by unanimous vote, and Assembly Joint Resolution No. 15 ordered to print and enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No 656—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 656—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read first time, and ordered to second reading.

Senate Bill No. 659—An Act making additional appropriations to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Read first time, and referred to Committee on Ways and Means.

RESOLUTION—(CASE OF URGENCY).

By Mr. Stewart of San Diego:

Resolved, That Senate Bill No. 656 presents a case of urgency, as that term is used in Section 5 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. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro,

Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Wright, and Mr Speaker—63.

NOES—None.

Senate Bill No. 656—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read first time, and ordered to second reading.

Senate Bill No. 656—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read second time, and ordered to third reading.

Senate Bill No. 656—An Act to provide for the dissolution of irrigation districts, the ascertainment and discharge of their indebtedness, and the distribution of their property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Broughton, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Knowland, Laird, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Reeber, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—57.

NOES—None

Title read and approved.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No 369—An Act to provide for the location, construction, and maintenance of a State highway commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor

Also: Senate Bill No 581—An Act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of Certified Public Accountant; and to provide the grade of penalty for violations of the provisions hereof.

Also: Senate Bill No. 619—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians and who are not confined at State hospitals for the insane.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 369—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Read first time, and referred to Committee on Roads and Highways.

Senate Bill No. 581—An Act to create a State Board of Accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of Certified Public Accountant; and to provide the grade of penalty for violations of the provisions hereof.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 619—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians and who are not confined at State hospitals for the insane.

Read first time, and ordered on Senate Special File, and made special order for Thursday, March 14, 1901.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 396—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895.

Also: Senate Bill No. 485—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the service of a warrant of arrest.

Also: Senate Bill No. 583—An Act to amend Section 1116 of the Political Code, relative to the duties of the clerk concerning elections.

Also: Concurred in Assembly amendments to Senate Bill No. 539—An Act to provide a continuous appropriation for the support and maintenance of the University of California, to be an item of the General Appropriation Bill.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 396—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco,' approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners," approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895.

Read first time, and ordered on file without reference to committee, Assembly Bill No. 536 being withdrawn (they being identical).

Senate Bill No. 485—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the service of a warrant of arrest.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 583—An Act to amend Section 1116 of the Political Code, relative to the duties of the clerk concerning elections.

Read first time, and referred to Committee on Election Laws.

Also:

SENATE CHAMBER, SACRAMENTO, March 12, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 355—An Act providing for the submission and enactment of ordinances by the direct vote of the qualified voters of counties, cities, and towns.

Also: Refused to adopt Assembly Constitutional Amendment No. 24—A resolution proposing to the people of the State of California an amendment to the Constitution of the State by amending Section 12 of Article XIII of said Constitution, so as to abolish poll-taxes in the State of California.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 355—An Act providing for the submission and enactment of ordinances by the direct vote of the qualified voters of counties, cities, and towns.

Read first time, and referred to Committee on Public Morals.

RESOLUTIONS.

By Mr. Merritt:

Resolved, That the State Printer is hereby directed to print and deliver to each Assemblyman twenty-five copies of Bulletin No. 19, regarding oil and gas-yielding formations.

Resolution read and adopted.

By Mr. Anderson of Solano:

ASSEMBLY CONCURRENT RESOLUTION No. 11.

WHEREAS, By the recent conveyance to the University of California of a girls' gymnasium, fully equipped, together with the land belonging thereto, Mrs. Phœbe A. Hearst has again given public evidence of her devotion to the interests of our State University; and

WHEREAS, The people of the State of California are under great and many obligations to the above-named donor for former expenditures of money for the permanent benefit of that institution, the good of its students, and the cause of education in general; and

WHEREAS, All loyal, progressive citizens of the State feel under special indebtedness to her for the procurement of the splendid architectural plans under which all permanent improvements at Berkeley will be carried on in the future, and which, when completed, will redound to the lasting glory of our State; therefore, be it

Resolved by the Assembly, the Senate concurring, That the thanks of the people of the State of California are hereby extended to Mrs. Phœbe A Hearst for her philanthropy to deserving students, unostentatious generosity, and her loving loyalty to our State in thus aiding one of its greatest institutions, and with the thanks give an assurance that her beneficence and public-spiritedness are highly and sincerely appreciated; be it further

Resolved, That the Secretary of State is hereby directed to have prepared and forwarded to her an engrossed copy of these resolutions.

Resolution read and adopted.

SENATE SPECIAL FILE.

Mr. Cowan asked and was granted unanimous consent to have Senate Bill No. 657 taken up out of order and considered.

Senate Bill No. 657—An Act to amend Section 1 of an Act entitled "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 the inmates therein, and to repeal all Acts, or parts of Acts, in conflict with the provisions of this Act," approved March 31, 1897.

Read second time, and ordered to third reading.

At ten o'clock and thirty minutes A. M., the Speaker called Mr. Anderson of Solano to the chair.

Mr. Reeber asked and was granted unanimous consent to have Senate Bill No. 432 taken up out of order and considered.

Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and all expenses connected therewith," which became a law under constitutional provision without the Governor's approval in March, 1899.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chiles, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McNeil, McWade, Melick, Milice, Miller, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Webber, Williams, and Wright—55.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

The question being on the adoption of the amendments as printed in yesterday's Journal, as follows:

By Mr. Radcliff:

Amend by striking out of Section 170, line thirty-one, the period after the word "annum," and inserting a comma and the following: "and actual traveling expenses when visiting the schools of his county"

Also: Amend by striking out of Section 170 lines twenty-two, twenty-three, twenty-four, and twenty-five the words "and an assistant district attorney, when the Board of Supervisors deem necessary, said assistant to be appointed by the District Attorney, and at a salary to be fixed by the Board of Supervisors," and inserting after the word "annum," in line twenty-one of said section, a period in place of the comma.

Also: Amend by striking out of Section 170, line sixty-five, the words "herein provided for," and inserting the following: "as provided in Section 215 of the County Government Act, approved 1897, wherein it provides certain fees and commissions for the Assessor and License Collector."

Amendments adopted.

By Mr. Chandler:

Amend by striking out of subdivision thirteen, line sixty-seven, page thirty-eight, the word "eighty," and inserting the word "ninety"

Also: Amend by striking out of subdivision fourteen, line seventy-seven, page thirty-eight, the word "eighty," and inserting the word "ninety."

Also: Amend by adding the following after Section 12: "The provisions of this section shall take effect thirty days after the passage of this Act."

Also: In line nine, page one hundred and thirty-five of printed bill, strike out the word "fifteen," and insert therefor the word "eighteen."

Also: In line eleven of same page, strike out the word "twelve," and insert in lieu thereof the word "fifteen."

Also: In line twelve, page one hundred and thirty-five, strike out the word "twelve," and insert therefor the word "fifteen."

Also: In line thirteen, page one hundred and thirty-five, strike out the word "twelve," and insert therefor the word "fifteen."

Also: In line fourteen, page one hundred and thirty-five, strike out the word "seven," and insert in lieu thereof the word "ten"

Also: In line fifteen, page one hundred and thirty-five, strike out the word "eighteen," and insert therefor the word "twenty-five."

Also: In line sixteen, page one hundred and thirty-five, strike out the word "fifteen," and insert therefor the word "eighteen."

Also: In line twenty-one, page one hundred and thirty-five, strike out the word "nine," and insert therefor the word "ten."

Also: In line forty-two, page one hundred and thirty-six, strike out the word "fifty," and insert therefor the words "one hundred"

Also: Strike out all of subdivision fifteen, and insert in lieu thereof the following: "Each member of the Board of Supervisors six hundred dollars per annum, and twenty-five cents per mile while traveling from their respective residences to the county seat not more than once each month."

Amendments adopted.

By Mr. Berry:

Amend by striking out of Section 28, line ten, the word "twenty-four," and inserting the words "three thousand" in lieu thereof

Also: Strike out the word "eighteen," in line twelve, and insert in lieu thereof the words "two thousand"

Also: Strike out the words "nine hundred," in line thirteen, and insert in lieu thereof the words "one thousand."

Also: Strike out in lines forty-five and forty-six the word "seventy-five," and insert in lieu thereof the words "one hundred"

Amendments adopted.

By Mr. Milice:

Amend by striking out of Section 24, line fifty-five, page seventy-three, the word "twelve," and inserting in lieu thereof the word "fifteen."

Also: Amend by striking out of Section 24, line thirty-two, page seventy-two, the word "change," and inserting the word "charge."

Amendments adopted.

By Mr. Stewart of San Diego:

Amend by inserting after line eighty-six thereof the following:

"18. Each member of the Board of Education shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile, one way only, from his residence to the place of meeting of said board. The secretary of said Board of Education shall receive five dollars per day for his services for the actual time that the board may be in session Said compensation of the members of said board and of said secretary shall be paid out of the same fund as the salary of the Superintendent of Schools. Claims of such service and mileage shall be presented to the Board of Supervisors, and shall be allowed at the rate above named, and in the same manner as other claims against the county are allowed. The compensation of the members of the County Board of Education herein provided is not in addition to that provided in section seventeen hundred and seventy of the Political Code."

Amendment adopted.

By Mr. Irving:

Amend by striking out of Section 44, page one hundred and twenty-nine of printed bill, subdivision sixteen thereof.

Amendment adopted.

By Mr. Cromwell:

Amend by striking out of Section 11, line one hundred and thirteen, page thirty-six, the word "three," and inserting the word "four"

Amendment adopted.

By Mr. John:

Amend by striking out of Section 29, page eighty-seven, printed bill, in lines nine and ten, the words "and twelve and one half cents for each elector registered."

Also: Amend by adding in Section 29, line fourteen, page eighty-seven, after the word "recorded," the following: "*provided*, that the six cents per folio for recording shall go into effect immediately"

Also: Amend by adding to Section 29, line twenty, page eighty-seven, after the word "annum," the following: "*provided*, that the salary for the deputy shall take effect immediately"

Also: Amend by striking out of Section 29, line forty-one, page eighty-eight, the word "eight," and inserting in lieu thereof the word "five."

Amendments adopted.

By Mr. McWade:

Amend by striking out of Section 7, line three hundred and forty-three, the word "Act," between the words "this" and "shall," and inserting the word "section."

Also: Amend by striking out of Section 8, line fifty-three, the word "first" after the word "January," and inserting between the words "to" and "January," in said line fifty-three, "twelve o'clock meridian on the first Monday after the first day of January."

Also: Amend Section 8, line one hundred and seventy-one, by inserting the word "verified" between the words "a" and "statement."

Also: Amend by striking out of Section 21, line ninety-three, the word "Act" between the words "this" and "so," and inserting the word "section."

Also: Amend by striking out of Section 34, line one hundred and forty, the word "Act' between the words "this" and "shall," and inserting the word "section."

Also: Amend by striking out of Section 38, line one hundred and forty, the words "nineteen of this Act," and inserting before the word "section" the word "this"

Also: Amend by striking out of Section 43, line one hundred and twenty-nine, the word "Act," and inserting the word "section"

Also: Amend by striking out of Section 55, line fifty-four, the word "Act," and inserting the word "section."

Also: Amend by striking out of Section 59, page one hundred and fifty-two, line one, *et seq*, the word and figures "Sec 59," and following down to and including the words "for any one district," lines eight and nine, same page

Amendments adopted.

By Mr. Laird:

Amend Section 30 by adding thereto a new subdivision, to be known as subdivision fifteen, and to read as follows:

"15 The official reporter of the Superior Court shall receive, as full compensation in taking notes in civil and criminal cases tried in said court, a monthly salary of one hundred and fifty dollars, payable out of the county treasury at the same time and in the same manner, and from the same fund, as the salaries of county officers; and for transcription of said notes, when required, he shall receive the sum of fifteen 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."

Amendment adopted.

By Mr. Duryea:

Amend by striking out of Section 32, line thirty-seven, page ninety-three, printed bill, the word "twenty-four," and inserting the word "thirty."

Amendment adopted.

Reconsidered and withdrawn.

By Mr. Melick:

Amend by striking out Section 7 and inserting the following:

"SEC. 7. Section one hundred and fifty-nine of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April first, eighteen hundred and ninety-seven, is hereby amended to read as follows:

"Section 159. In counties of the second class, the county and township officers shall receive, as compensation for the services required of them by law, the following salaries, to wit:

"1. The County Clerk, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the County Clerk the following deputies, who shall be appointed by the County Clerk, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and twenty-five dollars per month, two registry clerks, at a salary of one hundred and twenty-five dollars each per month; one clerk of the Board of Supervisors, at a salary of one hundred and twenty-five dollars per month, and six court-room clerks at a salary of one hundred and fifteen dollars each per month; one recording clerk, one file clerk, one index clerk, one clerk in charge of criminal records, at eighty dollars each per month; one miscellaneous clerk and one assistant clerk of the Board of Supervisors, at a salary of ninety dollars each per month, one clerk, at a salary of seventy-five dollars per month, one clerk, at a salary of forty-five dollars per month; one deputy, at a salary of twenty-five dollars per month; six clerks, at a salary of seventy dollars each per month, for not exceeding one month for any one year. The salaries of the deputies and clerks herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Clerk is paid.

"2. The Sheriff, three thousand six hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the Sheriff an under sheriff and the following deputies and stenographers, who shall be appointed by the Sheriff of said county, and shall be paid salaries as follows. One under sheriff, at a salary of one hundred and twenty-five dollars per month; one bookkeeper, at a salary of one hundred and twenty-five dollars per month; eight deputies, at a salary of ninety dollars each per month; six court deputies, at a salary of ninety dollars each per month; four jail deputies, at a salary of seventy dollars each per month; one jail matron, at a salary of fifty dollars per month; one stenographer, at a salary of sixty dollars per month. The salaries of the under sheriff and all deputies and stenographers herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund that the salary of the Sheriff is paid. The Sheriff shall also receive the amount of money necessarily expended by him in serving all processes and notices, and the same shall be a charge against the county, and allowed as such by the Board of Supervisors, and paid as other county charges are paid. In case of sale of property on foreclosure of mortgage or on execution the Sheriff shall be entitled to receive all necessary expense of keeping the property and of advertising the sale.

"3. The Recorder, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Recorder the following deputies and copyists, who shall be appointed by the Recorder of said county, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and twenty-five dollars per month; two deputies, at a salary of ninety dollars each per month; two deputies, at a salary of eighty-five dollars each per month; four deputies, at a salary of eighty dollars each per month, two deputies, at a salary of seventy-five dollars each per month, not to exceed four months in any one year; and as many copyists as may be required, who shall receive as compensation for their services the sum of five and one-half cents per folio for recording any instrument or notice, except maps or plats; for copies of any record or paper, five cents per folio. The salaries and compensation of all

deputies and copyists herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Recorder is paid

"4. The Auditor, three thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the Auditor the following deputies and clerks, who shall be appointed by the Auditor, and who shall be paid salaries as follows: One chief deputy, at a salary of one hundred and twenty-five dollars per month, one deputy, at a salary of one hundred and ten dollars per month; one deputy, at a salary of ninety dollars per month; two deputies, at a salary of eighty dollars each per month; and forty clerks at a salary of seventy-five dollars each per month, not to exceed one month each in any one year, 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. The salaries of the chief deputy, deputies and clerks herein provided for shall be paid by the county in monthly installments, at the same time, in the same manner and out of the same fund as the salary of the Auditor.

"5. The Treasurer, three thousand dollars per annum; *provided*, that in counties of this class there shall be and hereby is allowed to the Treasurer one chief deputy, who shall be appointed by the Treasurer, and shall be paid a salary of one hundred and twenty-five dollars per month; also, one deputy at a salary of ninety dollars per month. The salaries of the deputies herein provided for shall be paid by said county in monthly installments, at the same time, in the same manner, and out of the same fund as the salary of the Treasurer.

"6 The Tax Collector, three thousand dollars per annum; which shall be full compensation for all services rendered by him; *provided*, that in counties of this class there shall be and there hereby is allowed to the Tax Collector the following deputies and clerks, who shall be appointed by the Tax Collector, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and twenty-five dollars per month; one cashier, two report clerks, one general clerk, at a salary of one hundred dollars each per month; one corresponding clerk, at a salary of ninety dollars per month, one license clerk, at a salary of ninety dollars per month, and two license inspectors, at a salary of seventy-five dollars each per month; three clerks, at a salary of seventy-five dollars each per month; one clerk, at a salary of ninety dollars per month, not to exceed four months in any one year, thirty-four clerks, at a salary of seventy-five dollars each per month, not to exceed four months each in any one year. There is also allowed not to exceed four hundred dollars for traveling expenses for the license tax collector each year. The salaries of the chief deputy and all the clerks and deputies herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the Tax Collector.

"7. The District Attorney, four thousand dollars per annum; *provided*, that in counties of this class there shall be and there hereby is allowed to the District Attorney the following deputies and employés, who shall be appointed by the District Attorney of said county, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and seventy-five dollars per month; two deputies, at a salary of one hundred and fifty dollars each per month; one deputy, at a salary of one hundred and twenty-five dollars per month; one deputy, at a salary of one hundred dollars per month; one stenographer, at a salary of one hundred dollars per month; *provided further*, that nothing herein contained shall be construed to prevent the Board of Supervisors of said counties of this class from employing special counsel when, in the judgment of said board, the interests of said county require it. The salaries of the deputies, stenographer, and special counsel herein provided for, shall be paid by the county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the District Attorney.

"8. The Assessor, three thousand dollars per annum, which shall be full compensation for all services rendered by him, *provided*, that in counties of this class there shall be and hereby is allowed to the Assessor the following deputies and clerks, who shall be appointed by the Assessor, and shall be paid salaries as follows: One chief deputy, at one hundred and twenty-five dollars per month; one second deputy, at a salary of one hundred and fifteen dollars per month; one valuation clerk, at a salary of eighty-five dollars per month; one transfer clerk, at a salary of eighty-five dollars per month, twenty field deputies for not exceeding one month in any one year, at a salary of one hundred dollars each per month; twenty-five field deputies for not exceeding three months in any one year, at a salary of ninety dollars each per month; fifteen field deputies for not exceeding two months in any one year, at a salary of one hundred dollars each per month; five field deputies for not exceeding three months in any one year, at a salary of one hundred dollars each per month; five field deputies for not exceeding four months in any one year, at a salary of ninety dollars each per month; four clerks for not exceeding four months in any one year, at a salary of ninety dollars each per month; one clerk for not exceeding three months in any one year, at a salary of ninety dollars per month; nineteen clerks for not exceeding four months in any one year, at a salary of eighty dollars each per month; four clerks and one stenographer not to exceed four months in any one year, at a salary of sixty dollars each per month; five clerks for not exceeding four months in any one year, at a salary of eighty dollars each per month; fifteen clerks, copyists, and indexers, for not to exceed four months in any one year, at a salary of sixty dollars each per month, and one messenger for not exceeding four months in any one year, at a salary of thirty dollars per month. The salaries of the deputies, stenog-

rapher, and clerks herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner and out of the same fund as the salary of the County Assessor is paid It is hereby *further provided*, that in counties of this class the Assessor shall receive no commission for his collection of taxes on personal property, nor shall such Assessor receive any compensation or commission for the collection of poll-taxes or road poll-taxes, nor shall the said Assessor receive any compensation for making out the military roll of persons returned by him as subject to military duty, as provided by section nineteen hundred and one of the Political Code

"9 The Coroner, two thousand four hundred dollars per year and his actual necessary traveling expenses when traveling outside of the county seat. He must hold inquests, as prescribed by chapter two, title twelve, part two of the Penal Code, except that he may in his discretion dispense with a jury. The Coroner, or other officer holding an inquest upon the body of a deceased person, may subpœna a physician or surgeon to inspect the body, or a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or hold a post-mortem examination of the deceased, and give his professional opinion as to the cause of death, and shall cause the testimony given by the witness to be reduced to writing, under his direction, and may employ a clerk or stenographer for such purpose, as now provided by law

"10. The Public Administrator, three thousand dollars per annum.

"11. The Superintendent of Schools, three thousand dollars per annum, which shall be in full for all services, including attendance upon the Board of Education, and actual necessary traveling expenses, not to exceed five dollars each for every school district in the county; *provided*, that in counties of this class there shall be and there hereby is allowed to the Superintendent of Schools one assistant and deputy, and one stenographer, who shall be appointed by the Superintendent of Schools of said county, and shall be paid salaries as follows: One assistant, at a salary of one hundred and twenty-five dollars per month, one deputy, at a salary of one hundred dollars per month, and one stenographer, at a salary of seventy-five dollars per month. The salaries of the assistant, deputy, and stenographer herein provided for shall be paid by the county in the same manner and at the same time and out of the same fund as the Superintendent of Schools is paid.

"12. The Health Officer, one thousand two hundred dollars per annum, and special health officers, when appointed as in this Act provided, one hundred dollars each per annum The salary of the Health Officer and special health officers shall be paid by the county in the same manner and at the same time as other county officers are paid.

"13 The Surveyor, ten dollars per day for all work performed, and in addition thereto all necessary expenses and transportation for work performed in the field; *provided*, that in counties of this class there shall be and there hereby is allowed to the Surveyor one chief deputy and seven draughtsmen, who shall be appointed by the Surveyor of said county, and shall be paid salaries as follows: One chief deputy, at a salary of one hundred and twenty-five dollars per month; five draughtsmen at a salary of two hundred dollars each per month, and one draughtsman at a salary of seventy-five dollars per month The salaries of the chief deputy and the draughtsmen herein provided for shall be paid by said county in monthly installments, at the same time and in the same manner as the deputies of other county officers are paid.

"14 Supervisors, one thousand eight hundred dollars per annum, together with mileage, at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties, either as Road Commissioners or Supervisors, not exceeding in the aggregate five hundred dollars each per annum They shall also receive their necessary expenses when attending meetings of the State Board of Equalization

"15 Justices of the Peace, such fees as are now or may be hereafter allowed by law; *provided*, that no Justice of the Peace shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month for all services rendered by him in criminal cases, or in actions or proceedings to which the people of the State of California are or may be parties; and no claim of any such Justice of the Peace in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid; but all fines and fees collected by every such Justice on the account aforesaid shall belong to and be the property of the county in which such Justice exercises his jurisdiction And each of such Justices shall report, under oath, on the first Monday of each month to the Board of Supervisors of such county, the amount of all fines and fees collected by him, on the account aforesaid, during the preceding month, and shall, on said date, deposit with the County Treasurer, to the credit of the county, all such fines and fees as may be shown by said report to have been collected by him. He shall also transmit the Treasurer's receipt for said payment to said board with their said report; *provided further*, that the Boards of Supervisors of such counties may, in townships having a population of more than thirty-five thousand, provide such Justices, or any of them, with an office and the necessary furniture and supplies for the Justice's Court

"*And provided further*, that the Boards of Supervisors in said counties and in townships having more than thirty-five thousand inhabitants shall, upon the recommendation of the Township Justice or Justices, appoint a clerk for the Justice's Court, which clerk shall hold office for the term of two years from and after his appointment, and shall receive a salary of one hundred dollars per month, payable in like manner, at like times and out of the same fund as county officers are paid, by the county; said clerk shall take and file an oath of office in like manner as county officers, and after being appointed and qualifying as hereinbefore prescribed, shall have power to administer

and certify oaths to affidavits, and all papers, documents, or instruments used in or in connection with the actions and proceedings of such Justice's Court Such clerk shall perform such other clerical service as may be required of him by the Justice or Justices.

"16 Constables, such fees as are now or may hereafter be allowed by law; *provided*, that no Constable shall receive more than one thousand dollars per annum, which may be paid in monthly installments of not exceeding eighty-three and one third dollars per month, for all services rendered by him in all criminal cases, or in actions or proceedings to which the people of the State of California are or may be made parties; and no claim of any such Constable, in excess of said sum of one thousand dollars per annum, or the installments thereof, as aforesaid, shall be allowed or paid, but all fees collected by every such Constable, on the account aforesaid, shall belong to and be the property of the county in which such Constable has been elected or appointed And each of said Constables shall report under oath, on the first Monday of each month, to the Board of Supervisors of such county, the amount of all fees collected by him on the account aforesaid during the preceding month, and shall on said date deposit with the County Treasurer, to the credit of the county, all such fees as may be shown by said report to have been collected by him He shall also transmit the Treasurer's receipt for said payment to said board, with his said report.

"17. In counties of this class, the official reporter of each department of the Superior Court shall receive, as full compensation for taking notes in said court, a monthly salary of two hundred dollars, payable out of the county treasury at the same time and in the same manner as the salaries of county officers. He shall, without further compensation, act as amanuensis to the Judge of such department of the Superior Court. For transcription of his shorthand notes said reporter shall receive ten cents per folio of one hundred words for the original and half that sum per folio for each copy made at the same time, to be paid, in criminal cases, out of the county treasury upon order of the court, and in civil cases by the party ordering the same, or, if ordered by the court, to be paid by the parties in such proportion as the court may direct; and when, in civil cases, transcript is made by order of the court, the portion of the fees therefor paid by the prevailing party shall be taxed as costs in the case

"In each civil case in which the services of the reporter are required, the sum of six dollars per diem for each day of the trial thereof shall be paid to the clerk of the court, in advance, one half by each party, or in such other proportion as the court may direct; *provided*, that where the services of the reporter are required in a case consuming no more than one half day's session of court, the amount so paid shall be three dollars. All per diem fees so collected shall be paid by the clerk into the treasury of the county. The portion of the per diem fees in each case paid by the prevailing party shall be taxed as costs in the case

"15 All Acts and parts of Acts in conflict with this Act are hereby repealed.

"16 This section shall take effect and be in force from and after January first nineteen hundred and three, in all matters except as to commissions on poll-taxes allowed the County Assessor. In that respect, it is the intention of this Act that this section shall take effect immediately, so that the Assessor shall from and after the passage of this Act turn into the county treasury all commissions collected on poll-taxes."

Mr. Melick moved the adoption of the amendment.

Amendment refused adoption.

Mr. Melick moved that motion whereby his amendment to Senate Bill No. 650 was refused adoption be reconsidered.

Mr. Treadwell moved that the motion to reconsider be laid on the table.

Roll call was demanded by Messrs. Melick, James, and Myers.

The roll was called, and the motion to lay on the table carried by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Butler, Carter, Chiles, Clarke, Collins, Cromwell, Duryea, Feliz, Franklin, Gans, Gulfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, Kelley, Knight, Knowland, Laird, McNeil, McWade, Merritt, Milice, Ralston, Reeber, Roberts, Rutherford, Schillig, Schlesinger, Stewart of San Diego, Treadwell, Webber, Williams, and Mr. Speaker—45

NOES—Messrs Atherton, Broughton, Cavagnaro, Chandler, Cowan, Foster, Greer, James, Johnson, John, Kincaid, Mattos, Melick, Miller, Myers, Savage, Sutro, and Walker—18.

By Mr. Carter:

Amend by inserting in line two hundred and fifteen, page fourteen, the words "one clerk."

Also. Amend by inserting after the word "assistant," in line two hundred and twenty, page fourteen, the word "clerk"

Also. Amend by striking out of Section 7, line three hundred and forty-three, page eighteen of the printed bill, the word "Act," and inserting in lieu thereof the word "section"

Also: Amend Section 7, line two hundred and twenty-eight, page fifteen, by adding the letter "s" to the word "officer" in said line twenty-two.

Amendments adopted.

By Mr. James:

Amend by striking out of Section 7, lines one hundred and thirty-five and one hundred and thirty-six, page twelve, the words "two deputies, at a salary of one hundred dollars each per month," and inserting in lieu thereof the following: "One deputy, at a salary of one hundred and twenty-five dollars per month; one deputy, at a salary of one hundred dollars per month"

Also: Amend by adding after subdivision twelve, and after line two hundred and thirty-one, Section 7, page fifteen, a new subdivision, to be numbered "twelve and one-half," as follows:

"12½ Each member of the County Board of Education, except the secretary thereof, five dollars for each session of the board attended, not exceeding a total of four hundred dollars to any member in one year. In addition, each member shall be entitled to mileage at the rate of ten cents per mile, for one way only, while attending the regular sessions. Said compensation of the members of the Board of Education shall be payable monthly and out of the same funds and in the same manner as the salary of the County Superintendent of Schools is paid. Said compensation shall be in full payment for all services rendered."

Amendments adopted.

By Mr. Melick:

Amend by striking out Section 7.

Amendment lost.

By Mr. McWade:

Amend by striking out of Section 8, subdivision eight, line one hundred and fifty-four, page twenty-two, the word "second."

Also: Amend in Section 8, subdivision three, line seventy-seven, page twenty of printed bill, after the word "index" strike out the word "clerk," and insert in lieu thereof the word "deputy"

Also: Amend in Section 8, subdivision three, line eighty-two, page twenty of printed bill, after the word "index" strike out the word "clerk," and insert in lieu thereof the word "deputy."

Amendments adopted.

By Mr. Williams:

Amend by striking out the period after the word "annum," on page sixty-nine, Section 23, line thirty-one, and inserting in lieu thereof the following: "*provided*, that the bond of the Treasurer shall be executed with a reliable bond and security company, and that the cost of said bond, when duly approved, shall be a charge against the county, and payable out of the general fund."

Amendment adopted.

By Mr. Haley:

Amend by striking out of Section 43 all of line ninety six after the word "month."

Also: Strike out from line ninety-six, same page, the word "ten," and insert the word "twenty" in lieu thereof.

Amendments adopted.

By Mr. Webber:

Amend Section 31 of the printed bill by inserting after the word "subdivisions," in line ninety-three, page ninety-two, the word "thirteen"

Amendment adopted.

By Mr. Knowland:

Amend by striking out of Section 8, subdivision sixteen, line two hundred and ninety-seven, page twenty-six, after the word "month" the following: "This Act, so far as it relates to counties of the third class, shall take effect immediately as to the Justices of the Peace and Constables, but shall not affect the compensation of other officers during the present term of office"

Also: In Section 8, subdivision seventeen, page twenty-six, line three hundred and nineteen of printed bill, after the word "treasury" insert the following: "This Act, so

far as it relates to counties of the third class, shall take effect immediately as to Justices of the Peace, Constables, and official reporters, but shall not affect the compensation of other officers during the present term of office."

Amendments adopted.

By Mr. McWade:

Amend Section 8, line one hundred and seventy-one, printed bill, by inserting after the words "County Auditor a" the word "verified"

Amendment adopted.

By Mr. Atherton:

Amend by striking out on page ninety-four, Section 186, line ten, subdivision one of printed bill, the words "three thousand," and insert in lieu thereof the words "twenty-eight hundred."

Also: On page ninety-five, line fourteen, subdivision three, strike out the word "eight," and insert in lieu thereof the word "seven"

Also: In line sixteen, subdivision four, strike out the word "two," and insert in lieu thereof the word "one"

Also: In line eighteen, subdivision five, strike out the words "two thousand," and insert in lieu thereof the words "eighteen hundred"

Also: Strike out all of subdivision fifteen, and insert the following:

"15 Each Supervisor, five dollars per day when the board is in session, not exceeding five hundred dollars per annum, and ten cents per mile for traveling to and from his residence to the county seat at each session, and unless otherwise provided by law, when serving as Road Commissioner, three dollars per day. But he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner."

Amendments adopted.

By Mr. Brown of San Mateo:

Amend by striking out of Section 36, line sixty-eight, the words "to court or."

Also: By inserting in line ninety-six the word "and" before the word "fifteen."

Also By striking out of line ninety-seven the words and figures "and sixteen (16)"

Amendments adopted.

By Mr. Sheridan:

Amend by striking out Section 49, and inserting the following:

"SEC. 49. Section two hundred and two (202) of an Act entitled "An Act to establish a uniform system of county and township governments," approved April first, eighteen hundred and ninety-seven, is hereby amended to read as follows.

"Section 202 In counties of the forty-fifth class the county officers shall receive, as compensation for the services required of them by law or by virtue of their office, the following salaries, to wit:

" 1. The County Clerk, thirteen hundred dollars per annum.

" 2. The Sheriff, twenty-four hundred dollars per annum and the fees or commissions for service of all papers issued by any court of the State outside of his county, and his actual and necessary traveling expenses while executing a warrant outside of his county, issued by a magistrate or court within his county.

" 3. The Recorder, thirteen hundred dollars per annum.

" 4. The Auditor, seven hundred dollars per annum.

" 5. The Treasurer, one thousand dollars per annum

" 6. The Tax Collector, five hundred dollars per annum.

" 7. The Assessor, fifteen hundred dollars per annum.

" 8. The District Attorney, one 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, eight hundred dollars per annum, and actual and necessary traveling expenses when visiting schools of his county.

"12. The Surveyor, such fees as are now or may be hereafter allowed by law

"13. Justices of the Peace, such fees as are now or may be hereafter allowed by law.

"14. Constables, such fees as are now or may be hereafter allowed by law

"15 Each member of the Board of Supervisors, four dollars a day when the board is in session, and ten cents a mile, in going only, for traveling from his residence to the county seat, and actual and necessary expenses; *provided*, he shall not in any one year receive more than three hundred dollars as Supervisor, exclusive of mileage, nor more than two hundred dollars as Road Commissioner, exclusive of traveling expenses"

Also: Amend by striking out of Section 49 the comma after the words "county seat," in subdivision fifteen, and inserting in lieu thereof a semicolon and the following words: "and when serving as Road Commissioner, three dollars per day"

Amendments adopted.

By Mr. Bennink:

Amend by striking out of Section 15, page forty-six, line sixty-nine, the word 'ninety," and inserting the words "one hundred."

Also: On page forty-seven, Section 15, line ninety, strike out the word "eighty-five," and insert the words "one hundred."

Amendments adopted.

By Mr. Wright:

Amend by striking out of Section 9, page twenty-seven, all of subdivision ten, and inserting the following: "The Coroner, such fees as are now or may hereafter be allowed by law."

Also: Strike out of page twenty-eight, subdivision eleven of Section 9, printed bill, the words "three hundred dollars per annum, and "

Amendments adopted.

By Mr. Hubbard:

Amend by inserting in Section 26, line one hundred and ninety-five, the word "twenty-six."

Also: Amend by inserting in line one hundred and ninety-eight, the word "twenty-six," after the word "section."

Also: Amend by inserting in Section 26, after line twenty-six, the words "*provided*, that the amount paid for services of deputy assessors shall not exceed twenty-four hundred dollars in any one year."

Also: Amend by striking out of Section 52, line ten, page one hundred and forty-one, the words "eight hundred," and inserting the words "one thousand."

Also: Strike out of line eleven, same section, the words "four hundred," and insert the words "five hundred."

Also: Strike out of lines thirty-three and thirty-four, page one hundred and forty-two, the words "*provided however*," and insert the words "*it is further provided*."

Amendments adopted.

By Mr. Dunlap:

Amend by adding on page forty, line twenty-one, printed bill, after the word "annum," the words "and five per cent on all licenses collected."

Amendment adopted.

By Mr. Haley:

Amend by striking out of Section 15, page one hundred and twenty-seven, all after the word "month "in line ninety-six.

Also: On page one hundred and twenty-seven, line ninety-six, strike out the word "ten," and insert in lieu thereof the word "twenty."

Amendment adopted.

By Mr. Johnson:

Amend by striking out of Section 10, line ten, the word "nine," and inserting in lieu thereof the word "twelve."

Amendment adopted.

By Mr. Greer:

Amend Section 10, page thirty-one, line sixty-two, after the word "law," by adding the following: "*provided*, the Coroner, or other officer holding an inquest upon the body of a deceased person, may subpœna a chemist to make an analysis of the contents of the stomach or of the tissues of the body, or a physician or surgeon to inspect the body, or hold a post-mortem examination of the deceased, and give a professional opinion as to the cause of death; and shall cause the testimony of all the witnesses at such inquest to be reduced to writing under his directions, and may employ a clerk or stenographer for such purpose at the same compensation allowed to stenographers in the Superior Court of the county, and, when such testimony is taken down by a stenographer, his transcription thereof, duly certified to, shall constitute the deposition of such witnesses."

Amendment adopted.

By Mr. Johnson:

Amend Section 10 by inserting after the word "law," in line seventy-eight, page twenty-nine of the printed bill, the following: "except that the Justice of the Peace in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred dollars per month in lieu of all fees in criminal cases, payable as the salaries of other county officers are paid."

Also: Amend by inserting after the word "law," in line eighty, page twenty-nine of the printed bill, the following: "except that the Constables in townships containing twenty thousand or more inhabitants shall be allowed a salary of one hundred dollars per month each for all services in criminal cases, payable as the salaries of other county officers are paid."

Also: Amend Section 10 by striking out all of lines thirty-eight and thirty-nine of said section, page thirty-one of the printed bill, and inserting in lieu thereof the following:

"3 The Recorder, three thousand dollars per annum. The Recorder may appoint two deputies at a salary of twelve hundred dollars each per annum, and also one deputy at a salary of nine hundred dollars per annum; the salaries of such deputies to be paid at the same time and in the same manner county officers are paid

"4 The Auditor, twenty-four hundred dollars per annum The Auditor may appoint a deputy at a salary of twelve hundred dollars per annum; the salary of the deputy auditor to be paid at the same time and in the same manner county officers are paid."

Also: Amend Section 10 as follows: Strike out the words "so far as it relates to the services and compensation of official reporters," in lines one hundred and fifteen and one hundred and sixteen, page thirty-three of the printed bill

Also. Amend by adding to Section 10, page thirty-three of the printed bill, after the word "passage," in line one hundred and seventeen, the following: "*provided*, that from and after the first Monday in January, nineteen hundred and three, the offices of Recorder and Auditor shall be separate, and shall not be consolidated by the Board of Supervisors"

Amendments adopted.

By Mr. Sheridan:

Amend Section 49 by inserting the following after subdivision fifteen

"16. Each member of the Board of Education shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of ten cents per mile one way only from his residence to the place of meeting of said board. The secretary of said Board of Education shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of said board and of said secretary shall be paid out of the same fund as the salary of the Superintendent of Schools. Claims of such service and mileage shall be presented to the Board of Supervisors, and shall be allowed at the rate above named and in the same manner as other claims against the county are allowed. The compensation of the members of the County Board of Education herein provided is not in addition to that provided in section seventeen hundred and seventy of the Political Code."

Amendment adopted.

By Mr. Duryea:

Amend by striking out of Section 32, line thirty-seven, printed bill, the word "twenty-four," and inserting the word "twenty"

Also: Amend by striking out of Section 32, lines thirty-five and thirty-six, printed bill, the words "criminal actions or proceedings other than felonies," and inserting the following: "prosecutions under section six hundred and forty-seven of the Penal Code, and prosecutions for fraudulently evading or attempting to evade the payment of fare for traveling on any railroad."

Also. Amend by inserting in Section 32, at the end of line thirty-seven, subdivision thirteen, the following: "*provided further*, that the amount allowed by the Board of Supervisors for services in prosecutions of misdemeanor cases other than those hereinbefore specified in this subdivision shall not exceed the sum of thirty dollars for any one month."

Amendments adopted.

By Mr Greer:

Amend by inserting after line sixty-seven, page thirty-one of printed bill, the following:

"Each member of the Board of Education shall receive five dollars per day as compensation for his services when in actual attendance upon said board, and mileage at the rate of twenty cents per mile, one way only, from his residence to the place of meeting of said board The secretary of said Board of Education shall receive five dollars per day for his services for the actual time that the board may be in session. Said compensation of the members of said board and of said secretary shall be paid out of the same fund as the salary of the Superintendent of Schools. Claims of such service and mileage shall be presented to the Board of Supervisors, and shall be allowed at the rate above named and in the same manner as other claims against the county are allowed The compensation of the members of the County Board of Education herein provided is not in addition to that provided in section seventeen hundred and seventy of the Political Code"

Amendment adopted.

By Mr. Feliz:

Amend Section 20 of Senate Bill No. 650 by inserting a new subdivision after line ninety-three, page sixty-two of the printed bill, to be known as subdivision seventeen of Section 173, and to read as follows:

"17. In counties of this class, the official reporter of the Superior Court shall receive as full compensation for taking notes in criminal cases tried in said court a monthly salary of eighty dollars, payable out of the county treasury 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 to be allowed on order of the court."

Amendment adopted.

Senate Bill No. 650 ordered to print and third reading.

Mr. McWade moved that the bill be sent with "rush" order to print, and made special order for Thursday, March 14, 1901.

So ordered.

Mr. McWade moved that the printer be instructed to print 500 extra copies of amended Senate Bill No. 650, as amended in the Assembly March 13, 1901.

So ordered.

TIME OF RECESS EXTENDED.

At eleven o'clock and fifty minutes A. M., Mr. Dunlap moved that time of recess be extended until twelve o'clock and thirty minutes P. M.

So ordered.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years—have had the same under consideration, and respectfully report the same back, and recommend that the amendments adopted by the Senate be concurred in.

FISK, Chairman.

Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.

The question being, "Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 875?"

AMENDMENT No. 1.

Amend by striking out of line twenty the word "fifteen," and inserting in lieu thereof the word "nineteen."

AMENDMENT No. 2.

Amend by striking out of lines thirty-four and thirty-five the words "seven thousand two," and inserting the words "nine thousand six."

AMENDMENT No. 3.

Amend by striking out of line eighty-three the word "three," and inserting the word "eleven"

AMENDMENT No 4.

Amend by striking out of lines one hundred and one and one hundred and two the words "sixteen thousand," and inserting the words "fourteen thousand four hundred"

AMENDMENT No. 5.

Insert a new paragraph after line one hundred and eighty-seven, to read as follows:

"For special counsel and traveling expenses in suits against the State on claims arising out of the Act entitled 'An Act fixing a bounty on coyote scalps,' approved March 31, 1891, five thousand dollars."

AMENDMENT No 6.

After line two hundred and two insert a new paragraph, to read as follows:

"For purchase of law books, five hundred dollars."

AMENDMENT No. 7.

After line two hundred and sixty-two insert a new paragraph, to read as follows:
"For armory rent and other expenses of the unattached companies of the National Guard, eighteen hundred dollars."

AMENDMENT No. 8.

Strike out all of lines two hundred and sixty-eight, two hundred and sixty-nine, two hundred and seventy, and two hundred and seventy-one, and insert in lieu thereof the following:
"For furnishing coal and other supplies for the training-ship Marion of the Naval Battalion, three thousand dollars.
"For furnishing coal and other supplies for and for repairs on the training-ship Pinta of the Naval Battalion, two thousand dollars."

AMENDMENT No. 8½

Amend Section 1 by adding a new paragraph after line three hundred and eighty-four, page eleven, printed bill, reading as follows:
"For traveling and incidental expenses of Débris Commissioner, six hundred dollars."

AMENDMENT No. 9.

Amend line four hundred and eleven by striking out the word "thirty-nine," and inserting the word "thirty-eight."

AMENDMENT No. 10.

Amend line four hundred and thirteen by striking out the word "seventy-nine," and inserting the word "eighty."

AMENDMENT No. 11.

Amend line four hundred and ninety-three by striking out the word "fifty-six" and inserting the word "fifty-nine."

AMENDMENT No. 12.

Amend line five hundred and one by striking out the word "six," and inserting the word "four."

AMENDMENT No. 13.

Amend line five hundred and four by striking out the words "forty-seven thousand three hundred," and inserting the words "fifty-five thousand."

AMENDMENT No. 14.

Amend line five hundred and fifty-three by striking out the word "sixty," and inserting the word "fifty-seven."
Also: Amend line five hundred and fifty-three by striking out the word "twenty," and inserting the words "not less than twenty-nine."

AMENDMENT No. 15.

Amend line five hundred and sixty-five by striking out the word "seven," and inserting the word "ten."

AMENDMENT No. 16.

Amend line five hundred and eighty-eight by striking out the words "five thousand," and inserting the words "seven thousand five hundred."

AMENDMENT No. 17.

Amend line five hundred and ninety-one by striking out the words "seventeen thousand five hundred," and inserting the words "fifteen thousand."

AMENDMENT No. 18.

Amend line five hundred and ninety-six by striking out the words "seven hundred," and inserting the words "one thousand."

AMENDMENT No. 19.

Amend line six hundred and ten by striking out the words "one thousand," and inserting the words "fifteen hundred."

AMENDMENT No. 20.

Amend line six hundred and seventeen by striking out the word "fifty," and inserting the words "seven hundred and fifty."

AMENDMENT No 21.

Amend Assembly Bill No. 875 by striking out all of lines six hundred and fifty-one to seven hundred and thirty-eight, both inclusive, and inserting in lieu thereof the following:
"For aid to District Agricultural Society Number One, five thousand six hundred dollars.

"For aid to District Agricultural Society Number Two, three thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Three, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Four, three thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Five, three thousand seven hundred and fifty dollars
"For aid to District Agricultural Society Number Six, five thousand six hundred dollars
"For aid to District Agricultural Society Number Seven, two thousand two hundred and fifty dollars
"For aid to District Agricultural Society Number Eight, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Nine, two thousand two hundred and fifty dollars.
"For aid to District Agricultural Society Number Ten, one thousand five hundred dollars.
"For aid to District Agricultural Society Number Eleven, two thousand two hundred and fifty dollars.
"For aid to District Agricultural Society Number Twelve, one thousand one hundred dollars.
"For aid to District Agricultural Society Number Thirteen, two thousand two hundred dollars.
"For aid to District Agricultural Society Number Fourteen, two thousand two hundred and fifty dollars.
"For aid to District Agricultural Society Number Fifteen, twenty-five hundred dollars.
"For aid to District Agricultural Society Number Sixteen, one thousand seven hundred and fifty dollars
"For aid to District Agricultural Society Number Seventeen, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Eighteen, two thousand two hundred and fifty dollars.
"For aid to District Agricultural Society Number Nineteen, twenty-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, three thousand dollars.
"For aid to District Agricultural Society Number Twenty-two, two thousand six hundred dollars
"For aid to District Agricultural Society Number Twenty-three, two thousand five hundred dollars
"For aid to District Agricultural Society Number Twenty-four, two thousand two hundred and fifty dollars.
"For aid to District Agricultural Society Number Twenty-five, two thousand six hundred dollars.
"For aid to District Agricultural Society Number Twenty-six, one thousand eight hundred and fifty dollars.
"For aid to District Agricultural Society Number Twenty-seven, two thousand two hundred and fifty dollars
"For aid to District Agricultural Society Number Twenty-eight, three thousand dollars
"For aid to District Agricultural Society Number Twenty-nine, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Thirty, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Thirty-one, two thousand five hundred dollars.
"For aid to District Agricultural Society Number Thirty-two, one thousand seven hundred and fifty dollars
"For aid to District Agricultural Society Number Thirty-three, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Thirty-four, one thousand five hundred dollars
"For aid to District Agricultural Society Number Thirty-five, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Thirty-six, two thousand six hundred dollars.
"For aid to District Agricultural Society Number Thirty-seven, nothing.
"For aid to District Agricultural Society Number Thirty-eight, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Thirty-nine, one thousand seven hundred and fifty dollars.
"For aid to District Agricultural Society Number Forty, three thousand six 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, one thousand seven hundred and fifty dollars.

"For aid to District Agricultural Society Number Forty-one, one thouand five hundred dollars.

"For aid to District Agricultural Society Number Forty-four, one thousand seven hundred and fifty dollars.

"For aid to District Agricultural Society Number Forty-five, one thousand one hundred dollars"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Chandler, Chiles, Clarke, Cowan, Dunlap, Duryea, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, Knowland, Laird, Mattos, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Walker, Webber, Wilhams, Wright, and Mr. Speaker—47.

NOES—Mr. James—1.

RECESS.

At twelve o'clock and twenty-five minutes P. M., the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Chandler moved that permission be granted by the Assembly to introduce the accompanying constitutional amendment, the title of which reads as follows: Assembly Constitutional Amendment No. —, "Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature."

Referred to Committee on Introduction of Bills.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 647—An Act to amend Section 177 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, regulating the salaries and compensation of county and township officers in counties of the twentieth class.

Assembly Bill No 675—An Act to amend Sections 3632, 3638, 3716, 3771, 3807, 3884, and 3899 of the Political Code, relating to the assessment and collection of taxes.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, and fourth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Assembly Bill No. 855—An Act to add a new section to the Civil Code, numbered 638*a*, relating to withdrawals from mutual building and loan associations

Also: That the following bill has been correctly enrolled:

Assembly Bill No. 606—An Act making an appropriation for the payment of salaries of additional clerks in the office of the Secretary of the Board of Examiners for the balance of the fifty-second fiscal year—and was presented to the Governor this day at nine o'clock and forty minutes A. M.

FRANKLIN, Chairman.

MOTION TO RECONSIDER.

Mr. Fisk moved to reconsider the vote whereby the Assembly refused to pass Senate Bill No. 483.

Mr. Dunlap moved to lay motion of reconsideration on the table.

Roll call was demanded by Messrs. Fisk, Guilfoyle, and Laird.

The roll was called, and motion to lay on the table lost by the following vote:

AYES—Messrs Atherton, Barnes, Berry, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Hanen, John, Kincaid, Laird, Levinson, Mattos, Melick, Myers, Schlesinger, Stewart of Amador, and Walker—22.

NOES—Messrs. Bauer, Bliss, Brady, Broughton, Butler, Carter, Collins, Evatt, Fisk, Franklin, Gans Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Irish, Irving, Johnson, Knowland, McLoughlin, McNeil, McWade, Merritt, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Stewart of San Diego, Sutro, Treadwell, Webber, and Mr Speaker—37.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider carried by the following vote:

AYES—Messrs Anderson of Santa Clara, Bauer, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Clarke. Collins, Duryea, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, Knight, Knowland, McNeil, McWade, Merritt, Milice, Miller, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Stewart of San Diego, Sutro, Treadwell. Webber, and Mr. Speaker—42.

NOES—Messrs Barnes, Berry, Brown of San Mateo, Chandler, Chiles, Cromwell, Dunlap, Feliz, Foster, Greer, Irish, John, Kincaid, Laird, Levinson, Mattos, Melick, Myers, Schlesinger, Sheridan, Stewart of Amador, and Walker—22.

SPECIAL ORDER.

Assembly Bill No. 428—An Act to provide for the appointment of a commission to promote prison reform, and to that end to investigate and report upon the feasibility of establishing a prison for the confinement and reformation of prison convicts, to select a site therefor and secure an option or purchase therefor, and submit sketch plans and specifications for said prison; and to investigate and report upon the feasibility of segregating prisoners in the State prisons into classes, with a view to the confinement of incorrigibles at the other prisons and the confinement of those capable of reformation at other prisons of the State, and to make an appropriation for such purposes.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Clarke, Collins, Cromwell, Duryea, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irish, Irving, Johnson, John, Kincaid, Knowland, Laird, McWade, Melick, Merritt, Milice, Radcliff, Ray, Reeber, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, Webber. Wright, and Mr. Speaker—45.

NOES—Messrs. Anderson of Solano, Brady Carter, Chandler, Cowan, Feliz, and McNeil—7.

Title read and approved.

At two o'clock and thirty minutes P. M., the Speaker called Speaker pro tem. Ralston to the chair.

Senate Bill No. 469—An Act to amend Section 110 of the Code of Civil Procedure of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Brady, Brown of San Francisco, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Duryea, Evatt, Feliz, Foster, Franklin, Greer, Guilfoyle,

Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, and Wright—57.

NOES—None.

Title read and approved.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 224—An Act to provide for the location, construction, and maintenance of a State highway from a point on the Lake Tahoe State Wagon Road, at or near Meyer's Station, thence past Tallac, Emerald Bay, and McKinney's to Tahoe City, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Chiles, Clarke, Cromwell, Duryea, Feliz, Foster, Gans, Guilfoyle, Hasson, Higby, Irish, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Merritt, Milice, Miller, Myers, Radcliff, Ray, Reeber, Rutherford, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—47.

NOES—Messrs. Chandler, James, McNeil, Ralston, and Roberts—5.

Title read and approved.

At two o'clock and fifteen minutes P. M., the Speaker resumed the chair.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Mr. Fisk moved that a select committee of one be appointed to amend Senate Bill No. 483 as follows:

Strike out of Section 1, lines seven, eight, nine, and ten the words: "The franchises of all other quasi-public corporations shall be assessed in the county in which such corporations owning or holding them have their principal place of business."

Motion carried, and so ordered.

Mr. Fisk was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made—with instructions to amend, now reports that the instructions of the Assembly have been carried out

FISK, Committee.

Report adopted.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Mr. Fisk moved that a select committee of one be appointed to amend Senate Bill No. 483 as follows:

Add in line thirty, after the word "it," the following. "and also the full cash value of all non-assessable property owned by it."

Motion carried, and so ordered.

Mr. Fisk was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 483—An Act to amend Section 3628 of An Act entitled "An Act to establish a Political

Code," approved March 12, 1872, relating to assessments, how and by whom made—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

FISK, Committee

Report adopted.

Senate Bill No. 483 passed on file, pending further amendments.

Senate Bill No. 82—An Act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State Hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Dunlap, Duryea, Feliz, Foster, Gans, Guilfoyle, Haley, Hasson, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Laird, McNeil, Melick, Miller, Ralston, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr. Speaker—44

NOES—Messrs Irish, Myers, and Stewart of Amador—3

Title read and approved.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 82 was on this day passed.

Senate Bill No. 462—An Act to amend Section 2349 of the Political Code of the State of California, relating to public way.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Bliss, Broughton, Butler, Chandler, Chiles, Cowan, Cromwell, Evatt, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irving, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, Melick, Merritt, Miller, Ralston, Reeber, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—47

NOES—None.

Title read and approved.

ANNOUNCEMENT.

Mr. Fisk arose and announced the death of Hon. Benjamin Harrison, ex-President of the United States.

Mr. Fisk then moved that when the Assembly adjourns it do so out of respect to the memory of the late Hon. Benjamin Harrison, ex-President of the United States.

Motion carried by a rising vote.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 430—An Act to amend Section 685 of the Political Code, relating to the Board of Examiners, and providing for the appointment of clerks of said board.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chiles, Clarke, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Gans, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irish, Irving, James, John, Kelley, Knight, Laird,

McLoughlin, McNeil, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Treadwell, Webber, Williams, Wright, and Mr. Speaker—53.
NOES—Messrs. Chandler, Foster, Johnson, and Melick—4.

Title read and approved.

Committee Substitute for Senate Bill No. 209—An Act to amend Section 11 of an Act entitled "An Act to define the boundary, provide for the care, strengthening, and repairing of the levee, and for the payment of the indebtedness of Levee District No. 1 of Sutter County," approved March 20, 1874.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irving, Johnson, Kelley, Knight, Knowland, Laird, Mattos, McNeil, Melick, Milice, Radcliff, Ray, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—50.
NOES—None

Title read and approved.

Senate Bill No. 15—An Act to provide for the erection of a modern hospital building for the Veterans' Home, located at Yountville, Napa County, State of California, and appropriating money therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Chandler, Chiles, Collins, Cromwell, Dunlap, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Radcliff, Ray, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, Wright, and Mr Speaker—53.
NOES—None.

Title read and approved.

Senate Bill No. 427—An Act to regulate the employment, hours of labor, etc., of children, and to prohibit the employment of minors under a certain age.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Radcliff, Reeber, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, Webber, Williams, Wright, and Mr. Speaker—59.
NOES—None

Title read and approved.

Senate Bill No. 563—An Act to amend Section 2712 of the Political Code, relating to the construction, maintenance, and repairs of bridges and tunnels, or the purchase of toll-roads.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Haley, Hasson, Hourigan, Irish, Irving, James, John, Kelley, Kincaid, Knight, Knowland, Levinson,

McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 416—An Act appropriating money for the purchase of a plant for wiring the Napa State Hospital building for electric lights.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Barnes, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Irish, Irving, James, John, Kelley, Kincaid, Knowland, Levinson, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Schillig, Schlesinger, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 356—An Act to authorize and empower the Board of State Harbor Commissioners to pay the claim of Bateman Bros. for work performed in the construction of the Union Depot and Ferry House in the City and County of San Francisco.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Irish, Irving, James, John, Kelley, Knight, Knowland, Levinson, McNeil, Melick, Milice, Ray, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Walker, Webber, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 321—An Act relating to estrays, providing for taking them up, and giving a lien on them for all damages, costs, and expenses incurred by reason of taking them up, and repealing all other Acts and parts of Acts now in force relating to estrays.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Schillig moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—67.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Schlesinger moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Gans, Guilfoyle, Hasson, Higby, Hourigan, James, John, Kelley, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Savage, Schillig, Schlesinger, Stewart of San Diego, Sutro, Webber, Williams, Wright, and Mr. Speaker—46.

NOES—Messrs. Anderson of Solano, Atherton, Bauer, Berry, Chandler, Dunlap, Greer, Haley, Hanen, Irish, Irving, Kincaid, Ray, Roberts, Stewart of Amador, Treadwell, and Walker—17.

Title read and approved.

RESOLUTION—(CASE OF URGENCY).

By Mr. Brown of San Mateo:

Resolved, That Senate Bills Nos. 393, 396, and 518 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 bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Evatt, Feliz, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hourigan, Irving, James, John, Kelley, Kincaid, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Ralston, Ray, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr. Speaker—54.

NOES—Mr. Hasson—1.

CASES OF URGENCY.

Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Read first time, and ordered to second reading.

Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Gans, Greer, Guilfoyle, Haley, Henry, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Roberts, Schlesinger, Sheridan, Walker, Webber, Williams, Wright, and Mr. Speaker—50.

NOES—Messrs Hasson and Kincaid—2.

Title read and approved.

NOTICE OF MOTION FOR RECONSIDERATION.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 393 was this day passed.

TIME FOR RECESS EXTENDED.

At four o'clock and twenty-eight minutes P. M., Mr. Cowan moved that time for recess be extended until the matter under consideration be disposed of.

So ordered.

CASES OF URGENCY—(RESUMED).

Senate Bill No. 396—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said Board," approved March 26, 1895.

Read first time, and ordered to second reading.

Senate Bill No. 396—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said Board," approved March 26, 1895.

Read second time, and ordered to third reading.

Senate Bill No. 396—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to amend an Act entitled "An Act to amend Section 6 of an Act entitled 'An Act concerning the water-front of the City and County of San Francisco," approved March 15, 1878, and to confer further powers upon the Board of State Harbor Commissioners,' approved March 17, 1880,' approved March 19, 1889, conferring further powers upon the said board," approved March 26, 1895.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Clarke, Cowan, Cromwell, Dunlap, Evatt, Feliz, Foster, Franklin, Gans, Gulfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irish, Irving, James, John, Kelley, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr Speaker—58

NOES—Messrs. Hasson, Johnson, Kincaid, Laird, and Treadwell—5.

Title read and approved.

Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read first time, and ordered to second reading.

Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read second time.

Mr. Broughton moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 518.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 518 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman

Report adopted.

Senate Bill No. 518 ordered to third reading.

Senate Bill No. 518—An Act to provide for the building of a blacksmith shop, woodworking and carpenter shop, and for the necessary machinery for equipping and operating the same, at the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Dunlap, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Higby, Irish, Irving, James, Johnson, John, Kincaid, Knowland, Laird, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Radcliff, Ralston, Rutherford, Savage, Schilling, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Williams, and Mr Speaker—51.

NOES—Messrs. Cowan and Fisk—2.

Title read and approved.

MOTION FOR PERMISSION TO INTRODUCE BILL.

Mr. Fisk moved that permission be granted by the Assembly to introduce the accompanying bill, the title of which is as follows: "An Act to amend Section 3713 of the Political Code, relating to the levy of taxes."

Referred to Committee on Introduction of Bills.

Mr. Savage moved that messages from the Governor be taken up.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 397, entitled "An Act to amend Section 1 of an Act entitled 'An Act to provide for the appointment, duties, and compensation of a Débris 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 No 229, entitled "An Act to provide for the appointment by the Supreme Court of five commissioners, to be known as Commissioners of the Supreme Court, to appoint a secretary, and to appropriate money therefor"

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1901.

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, with my objections thereto, Assembly Bill No. 281, entitled "An Act to provide for the location and construction of a State highway from a point at or near Merced Falls to the boundary line

of the Yosemite National Park, at its crossing of the Merced River, and placing the same under the management and control of the Department of Highways, and making an appropriation therefor, and repealing an Act entitled 'An Act to appropriate money for the survey, location, and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley,' approved March 26, 1895."

I regret that I cannot give this bill my approval, but the many necessary appropriations already approved and those which, on account of extreme State needs, must be hereafter approved by me, aggregate so large a sum, when coupled with the increased appropriations for the University and schools, and for the maintenance of the orphans, half-orphans, etc., all incident to the rapid growth of our State, that I am compelled, out of regard for the taxpayers of the State, to disapprove of this measure, which might meet with my favor were the circumstances different.

There are now pending before me other bills for the improvement of roads and highways which, taken together, carry such a large appropriation—covering many hundreds of thousands of dollars—that their allowance at this session would not only be a grievous wrong and unnecessary burden upon the taxpayers, but would be in violation of the pledge to economy forming part of the Republican platform upon which I was elected, and which every member of the dominant party in the Legislature is bound to respect. Obligated by that pledge, and above that, having the deepest concern for the interests of the taxpayers of the State, notwithstanding the numerous appeals made to me by people in the localities interested in the passage of these various road bills, I will be constrained to refuse my approval. I appealed to you in my biennial message at the beginning of this session to exercise such economy as would be compatible with the actual necessities of each case, and now toward its close I again call your attention to the enormous appropriations pending consideration in your honorable body, together with the appropriations already made, and I beg of you to refuse your approval of any other bills carrying appropriations except of the most urgent and necessary character.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 13, 1901

To the Assembly of the State of California

I herewith return to your honorable body, without my approval, Assembly Bill No. 4, entitled "An Act to amend an Act entitled 'An Act to prevent the destruction of forests by fire on public lands,' approved February 13, 1872, and to extend the provisions of said Act to private lands."

This bill purports to amend the Act of February 13, 1872, by extending its provisions to private lands, and by making the fines collected thereunder payable into a Forest Fire Fund, instead of into the Common School Fund.

The measure, while sufficiently laudable in its object of protecting the forests of the State, yet should have been made part of the Penal Code, pursuant to the provisions of Sections 248 and 249 of the Political Code, as the subject relates to and should form part of the Penal Code, following or amending Section 384 of the Penal Code.

In Assembly Bill No. 764, which has already passed, proposing to revise the Penal Code, this subject is sufficiently covered by Sections 384*a* and 384*b*, on page thirty-two, which will dispense with the necessity of the present measure.

HENRY T. GAGE,
Governor of the State of California.

Ordered printed in the Journal.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly reëngrossed:

Assembly Bill No. 832—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, and all Acts supplementary thereto, or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

FRANKLIN, Chairman.

RECESS.

At four o'clock and fifty-five minutes P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker pro tem. Ralston in the chair.

Quorum present.

THIRD READING OF ASSEMBLY BILL.

Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Dunlap, Duryea, Feliz, Fisk, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hubbard, Irish, Irving, Johnson, John, Knight, Knowland, Laird, Levinson, Macbeth, McWade, Melick, Merritt, Milice, Miller, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—53.

NOES—Messrs Clarke, Foster, Kincaid, McNeil, Ralston, Sheridan, and Stewart of Amador—7

Title read and approved.

REPORT OF COMMITTEE ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR SPEAKER: Your Committee on Introduction of Bills, to whom was referred the following, herewith return the same, with the recommendation that the authors be permitted to introduce them:

The number of said constitutional amendment is as follows: Assembly Constitutional Amendment No 30—Proposed amendment to Article IV of the Constitution, relative to the sessions of the Legislature

Also: Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes

RALSTON, Chairman.

Report adopted.

The question being, "Shall the report of the Committee on Introduction of Bills be adopted?"

The roll was called, and the report adopted by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Dunlap, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Reeber, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright and Mr. Speaker—57.

NOES—Mr. Irish—1.

INTRODUCTION OF BILLS, ETC.

By Committee on Ways and Means: Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read first time, to print with "rush" order, and on file for second reading.

By Mr. Chandler: Assembly Constitutional Amendment No. 30—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.

"Rush" order to print, and on file.

By Mr. Guilfoyle: Assembly Joint Resolution No. 16—Relative to requesting Congress to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of United States Senators by the direct vote of the people.

Ordered on file.

SPECIAL ORDER.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Clarke, Dunlap, Duryea, Feliz, Fisk, Foster, Franklin, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irish, Irving James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Milice, Miller, Ralston, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—53.

NOES—None.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

FISK, Chairman.

Senate Bill No. 659—An Act making additional appropriation to provide for certain improvement and repairs at the State Normal School at Los Angeles.

Read second time.

Mr. Carter moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker pro tem. in the chair, for the purpose of considering Senate Bill No. 659.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker pro tem. Ralston in the chair.

Senate Bill No. 659 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker pro tem. Ralston in the chair.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles—and do now report the same back with amendments, and recommend that the same do pass as amended.

RALSTON, Chairman

Report adopted.

Senate Bill No. 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

The following committee amendment was submitted:

Amend by striking out the word "seven," in line one, Section 1, first page, printed bill, and inserting in lieu thereof the word "three."

Amendment adopted.

Senate Bill No. 659 made "rush" order to print and ordered to third reading.

SPECIAL ORDER.

Assembly Bill No. 288—An Act to establish a State highway over the present county road between the City of Salinas, in Monterey County, and San Miguel, in the County of San Luis Obispo, and making an appropriation for the improvement, maintenance, and protection thereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Collins, Duryea, Feliz, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McWade, Melick, Merritt, Miller, Reeber, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—48

NOES—Messrs. Carter, Dunlap, Fisk, and McNeil—4.

Title read and approved.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 518—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, and fourth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Title read and approved.

SENATE SPECIAL FILE.

Mr. Dunlap moved that the rules be suspended, and that the Assembly consider Senate Bill No. 486.

So ordered.

Senate Bill No. 486—An Act to add a new section to the Political Code of the State of California, to be known as Section 4088, providing for Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of same.

Read second time, and ordered to third reading.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 832—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 disposition by sale or otherwise of property owned by irrigation districts, and all Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Title read and approved.

SPECIAL ORDER SET.

Mr. Henry moved that Senate Bill No. 58 be made special order for Thursday morning, March 14, 1901, immediately after reading of Journal.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Mr. Melick moved that Senate Bill No. 331 (109 on file) be taken up for consideration out of order.

So ordered.

Senate Bill No. 331—An Act to add two new sections to the Political Code, to be numbered 3805*a* and 3805*b*, to reënact Section 3859 of said code, and to amend Sections 3629, 3632, 3638, 3649, 3747, 3785, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said code, all relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Amend the title by striking out the numbers "3629," "3649," and "3785."

Amendment adopted.

AMENDMENT No. 2

Amend the bill by striking out all of Sections 1, 4, and 6, and renumber Sections 1, 2, 3, 4, 5, 6, and renumber Sections 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 so as to read: "7, 8, 9, 10, 11, 12, 13, 14, 15, 16."

Amendment adopted.

Ordered to print with "rush" order, and made special order for Thursday, March 14, 1901.

Mr. Stewart of Amador moved that the rules be suspended and the Assembly do now consider Senate Bill No. 481.

So ordered.

Senate Bill No. 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read second time.

The following committee amendment was submitted:

Amend by striking out the words "one hundred," in line one hundred and twenty-three, fourth page, printed bill, and inserting in lieu thereof the word "seventy-five"

Amendment adopted.

Senate Bill No. 481 ordered to print and third reading.

Mr. Johnson moved that Senate Bill No. 408 be taken up out of order for consideration.

So ordered.

Senate Bill No. 408—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 burial expenses," approved March 15, 1889, and to extend the operation

of said Act to all honorably discharged soldiers, sailors, and marines who served in the army and navy of the United States.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schlesinger, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, and Wright—57.

NOES—None

Title read and approved.

Mr. Sutro moved that Senate Bill No. 463 be recalled from Committee on Judiciary, that it be placed on Senate Special File, and that Assembly Bill No. 577 (204 on file) be withdrawn.

So ordered.

Mr. Foster moved that Senate Bill No. 332 be made special order for Thursday, March 14, 1901.

So ordered.

At eight o'clock and thirty minutes P. M., the Speaker resumed the chair.

Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary districts in any part of the State; for the construction of sewers and other sanitary purposes; the acquisition of property thereby, the calling and conducting of elections in such districts, the assessment, levy, collection, custody, and disbursement of taxes therein, the issuance and disposal of the bonds thereof and the determination of their validity, and making provisions for the payment of such bonds and the disposal of their proceeds," approved March 31, 1891.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Collins, Cowan, Dunlap, Evatt, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, Melick, Milice, Miller, Myers, Ralston, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—50

NOES—Messrs. Chandler and Roberts—2

Title read and approved.

BILL TAKEN UP OUT OF ORDER.

Mr. Franklin moved that Assembly Bill No. 569 be taken up and considered out of order.

So ordered.

Assembly Bill No. 569—An Act to amend Sections 319, 320, 321, 322, 323, 324, 325, and 326 of the Penal Code of the State of California.

Read second time.

Mr Franklin moved to amend as follows:

"Amend by striking out the words "or slot machine," in line fourteen of Section 1, page one of the printed bill.

Amendment adopted.

Also:

Amend by striking out the words "machines and devices," in lines four and five of Section 7 of the printed bill, page three.

Amendment adopted.

Also:

Amend by striking out the words "device or machine," in lines eleven and twelve, page four of Section 8, printed bill.

Amendment adopted.

Assembly Bill No. 569 ordered to print and third reading.

REPORT OF COMMITTEE OF CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your committee of conference on the disagreeing vote of the two houses on Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—beg leave to report that we met a like committee of the Senate, consisting of Senators Belshaw, Smith of Kern, and Lukens, and that the joint committee could not agree

Wherefore, we report the matter back to the Assembly, and recommend that the Assembly appoint a committee of free conference on said disagreeing votes of the two houses on said Senate Bill No. 447

JOHNSON,
DURYEA,
RUTHERFORD,
Committee of Conference of Assembly

Report adopted.

The Speaker appointed as committee of free conference Messrs. Johnson, Gans, and Savage.

SPECIAL URGENCY FILE—(RESUMED).

Senate Bill No. 580—An Act to regulate the killing of game birds and animals, and to provide therefrom revenue for their restoration and preservation.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Foster, Gans, Guilfoyle, Hanen, Hasson, Henry, Higby, James, Johnson, Knight, Knowland, Levinson, McNeil, McWade, Merritt, Milice, Miller, Myers, Ralston, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Webber, Williams, Wright, and Mr. Speaker—43.

NOES—Messrs. Atherton, Brown of San Mateo, Chandler, Feliz, Greer, Haley, Hubbard, Irish, Irving, John, Kincaid, Melick, Roberts, Simpson, and Walker—15.

Title read and approved.

BILL CALLED UP FOR AMENDMENT.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Mr. Dunlap moved that a select committee of one be appointed to amend Senate Bill No. 483 as follows:

Strike out all of line twenty-six, page two of printed bill, after the word "price"; also, all of lines twenty-seven, twenty-eight, and twenty-nine, and the word "it" in line thirty of same page

The question being on the motion to appoint select committee to amend.

Roll call was demanded by Messrs. Fisk, Feliz, and Guilfoyle.

The roll was called, and the motion to appoint select committee carried by the following vote:

AYES—Messrs Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Clarke, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Hanen, Higby, Irish,

James, John, Kincaid, Knowland, Levinson, Mattos, McLoughlin, Melick, Milice, Myers, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Sutro, Walker, and Williams—34.

NOES—Messrs. Bauer, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Collins, Evatt, Fisk, Franklin, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, Knight, McNeil, McWade, Merritt, Ralston, Ray, Savage, Stewart of San Diego, Treadwell, Webber, and Mr Speaker—29.

Mr. Dunlap was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your select committee of one, to whom was referred Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made—with instructions to amend, now reports that the instructions of the Assembly have been carried out.

DUNLAP, Committee

The question being on the adoption of the report of select committee of one.

Roll call was demanded by Messrs. Fisk, Hourigan, and Treadwell.

The roll was called, and the report of select committee of one refused adoption by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Hanen, Irish, James, John, Kincaid, Knowland, Levinson, Mattos, Melick, Myers, Radcliff, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of Amador, Walker, and Williams—31.

NOES—Messrs Bauer, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Collins, Evatt, Fisk, Franklin, Gans, Guilfoyle, Haley, Hasson, Henry, Hourigan, Hubbard, Irving, Johnson, Knight, McLoughlin, McNeil, McWade, Merritt, Miller, Ralston, Ray, Savage, Schilig, Stewart of San Diego, Sutro, Treadwell, Webber, Wright, and Mr. Speaker—37

Senate Bill No 483 made special order for Thursday, March 14, 1901.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 463—An Act to amend Section 3819 of the Political Code of the State of California—in obedience to your request, respectfully report the bill back without recommendation.

Also: Senate Bill No 499—An Act to amend the Code of Civil Procedure by adding a new section to Part III, Title II thereof, relative to contesting elections, said section to be numbered 1128.

Also: Senate Bill No 581—An Act to create a State Board of Accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of Certified Public Accountant; and to provide the grade of penalty for violations of the provisions hereof.

Report the same back by a majority vote, with the recommendation that they do pass.

Also: Senate Bill No. 482—An Act to add a new section to the Political Code, to be numbered 3901, relating to the commencement of actions to determine the legality of assessments and proceedings in pursuance whereof real estate has been sold to the State for delinquent taxes—report the same back, with the recommendation that it do pass.

JOHNSON, Chairman.

Mr. Carter moved that Assembly Constitutional Amendment No. 21 be continued special order for Thursday, March 14, 1901.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bauer, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Clarke, Collins, Duryea, Evatt, Fisk, Franklin, Greer, Guilfoyle, Haley, Hanen, Henry, Hourigan, Hubbard, Irving, Johnson, Knight,

McLoughlin, McNeil, Merritt, Milice, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Webber, Wright, and Mr. Speaker—42.

NOES—Messrs. Barnes, Bennink, Chandler, Chiles, Cowan, Feliz, Foster, Gans, Hasson, James, Kincaid, Knowland, Levinson, Mattos, Melick. Ray, Sheridan, Sutro, and Walker—19.

Title read and approved.

Mr. Greer moved to reconsider the vote whereby the Assembly passed Senate Bill No. 114.

The roll was called, and the vote refused reconsideration by the following vote:

AYES—Messrs. Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chiles, Collins, Cromwell, Dunlap, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Irving, Johnson, Kincaid, Mattos, McNeil, Merritt, Miller, Radcliff, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Walker, and Webber—36

NOES—Messrs Chandler, Clarke, Cowan, Duryea, Feliz, Foster, Hasson, James, Knight, Knowland, Levinson, Melick, Milice, Ray, Stewart of San Diego, Stewart of Amador, and Mr Speaker—17.

Mr. Hanen moved that Assembly Bill No. 596 (163 on file) be made special order for Thursday, March 14, 1901.

So ordered.

SPECIAL URGENCY FILE—(RESUMED).

Assembly Bill No. 855—An Act to add a new section to the Civil Code, to be numbered 638*a*, relating to withdrawals from mutual building and loan associations.

Objected to as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: We, the undersigned members of the Assembly, do hereby object to Assembly Bill No 855 being considered on the Special Urgency File.

WEBBER.
JOHN.
BROUGHTON
MILICE.
RADCLIFF
SUTRO.
COWAN.
HIGBY.
BRADY.

Mr. Knight moved that Assembly Bills Nos. 665 and 666 be taken up for consideration.

So ordered.

SECOND READING OF BILLS.

Assembly Bill No. 665—An Act authorizing the making of official city maps for the purposes of assessment or transferring of property by descriptions as delineated on such maps, and authorizing for the purposes of such maps the resurvey and renumbering of blocks, lots, or parcels of land, and the fixing of the names of streets, avenues, lanes, commons, or parks.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the title of the Act, on page one of the printed bill, and insert in lieu thereof the following:

"An Act to amend the Political Code by adding a new section thereto, to be numbered 3658*a*, relating to official maps, the making and adoption thereof, and the description of property as delineated thereon for the purpose of assessment and transfer."

Amendment adopted.

AMENDMENT No. 2

Strike out all of the printed bill following the enacting clause on page one, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the Political Code, to be numbered 3658*a*, and to read as follows:

"Section 3658*a* Whenever any city, town, or subdivision of land is platted or divided into lots or blocks, and whenever any addition to any city, town, or such subdivision shall be or has been laid out into lots or blocks for the purpose of sale or transfer, it shall be lawful for the City Engineer, or the County or City and County Surveyor, under the direction and with the approval of the City Council or Board of Supervisors of said city, county, or city and county, to make an official map of such city, town, or subdivision, giving to each block on such map a number, and to each lot or subdivision in such block a separate number or letter, and giving names to such streets, avenues, lanes, courts, commons, or parks, as may be delineated on such official map.

"Whenever the City Council or Board of Supervisors of such city, county, or city and county, shall adopt such map as the official map of the subdivision, town, city, county, or city and county, it shall be lawful to, and the Assessor shall, describe such lots blocks or parcels of land by numbers or letters as delineated on such map in assessing such property, and it shall be lawful and sufficient to describe such lots or blocks in any deeds, conveyances, contracts, or obligations affecting any such lots or blocks as designated on such official map, a reference to such map sufficient for the identification thereof being coupled with such description.

"Such engineer or surveyor, under the direction and with the approval of the City Council or Board of Supervisors of such city, county, or city and county, may compile such map from maps on file, or may resurvey or renumber the blocks, or renumber or reletter the lots in such blocks, or change the names of streets.

"All surveys made by any such engineer or surveyor under the provisions of this section, or in surveying officially any lots or parcels of land in any city, town, county, or city and county, for the purposes of any such map, shall be filed in the office of the surveyor or engineer, as the case may be, and shall become a part of the public records of such city, town, county, or city and county

"Each and every map, made and adopted as hereinabove provided, shall be certified under the hands of the members and the presiding officer and secretary and official seal, if any, of the authority adopting the same. Such certificate shall set forth in full the resolution adopting such map, with the date of adoption; and such map, so certified, shall be forthwith filed in the office of the County Recorder of the county, or city and county, wherein the platted lands are situate, and the same shall become an official map for all the purposes of this section when so certified and filed, but not before

"This section is hereby made applicable to all cities, towns and villages in this State, as well as to the counties and cities and counties thereof, whether the same be incorporated or not; and the words 'City Council or Board of Supervisors' wherever used herein shall be deemed to include the proper corresponding governing board and authority in each such place; and the words 'City Engineer' and 'County or City and County Surveyor' shall be deemed to include the like or corresponding officer, subject to the direction of such corresponding governing board and authority' in each such place; or, if there be no such officer subject to such direction, such 'corresponding governing board and authority' may employ competent engineers and surveyors to the extent necessary for the carrying out of the purposes of this Act in the places subject to its jurisdiction, and the persons so appointed shall have the same authority and shall perform the same duties as are given to and enjoined upon 'city engineers' and 'county or city and county surveyors,' respectively, in like cases The services of such engineers and surveyors so employed shall be contracted for, examined, passed upon, audited and paid as are other debts contracted by such governing boards and authorities."

Amendment adopted.

Assembly Bill No. 665 ordered to print, engrossment, and third reading.

Assembly Bill No. 666—An Act to amend an Act entitled "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 purposes 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.

Read second time.

The following committee amendments were submitted:

AMENDMENT No. 1.

Strike out the word "maps" next following the word "or," in line twenty-two, Section 1, page two of printed bill, and insert in lieu thereof the word "plat."

Amendment adopted.

AMENDMENT No. 2.

Strike out the word "or," line twenty-five of Section 1, page two of printed bill, and insert in lieu thereof the words "and all."

Amendment adopted.

AMENDMENT No. 3.

Add, next after the word "thereon," page two, Section 3, in line ten of the printed bill, the following: "Said map or plat shall be recorded in the office of the Recorder of the county, or city and county, in which it is required to be filed, in a book to be kept for that purpose."

Amendment adopted.

AMENDMENT No. 4.

Strike out all of lines two, three, and four of Section 4, page three of the printed bill, and insert in lieu thereof the following: "within any city, town, subdivision, or addition required to be mapped or platted by Section 1 of this Act, before the map or plat thereof is made out, acknowledged, approved, filed, and recorded, as herein provided, is guilty of a misdemeanor."

Amendment adopted.

Assembly Bill No. 666 ordered to print, engrossment, and third reading.

NOTICE OF RECONSIDERATION.

Mr. McNeil gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 569 was this day passed.

Mr. Johnson moved that Senate Bill No. 288 be taken up for consideration.

So ordered.

THIRD READING OF SENATE BILL.

Senate Bill No. 288—An Act to amend Section 172 of the Civil Code of the State of California, relating to the management and control of community property.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Atherton, Bauer, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Duryea, Feliz, Franklin, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—56.

NOES—None.

Title read and approved.

SECOND READING OF ASSEMBLY BILL.

Mr. Ralston moved that Assembly Bill No. 557 be taken up for consideration.

So ordered.

Assembly Bill No. 557—An Act concerning the erection of poles with wires thereon, and laying conduits, cables, and wires in the streets of cities and towns for telephonic and telephone-telegraphic service to inhabitants of such cities or towns, and the use of such streets for such services by individuals and domestic corporations.

Read second time.

Mr. Ralston offered the following amendment:

Amend by striking out of Section 1, lines fifteen, sixteen, and seventeen, the words "upon the condition that the municipal government shall have the right to regulate the charges thereof."

Amendment adopted.

Assembly Bill No. 557 ordered to print, engrossment, and third reading.

BILL TAKEN UP OUT OF ORDER.

Mr. Stewart of San Diego moved that Senate Bill No. 232 be taken up for consideration out of order.

So ordered.

Senate Bill No. 232—An Act to amend Section 850 of the Code of Civil Procedure.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bennink, Berry, Brady, Brown of San Francisco, Butler, Carter, Chiles, Collins, Cowan, Duryea, Feliz, Fisk, Foster, Franklin, Greer, Guilfoyle, Hanen, Hasson, Henry, Irish, Irving, Johnson, Kincaid, Knight, Knowland, McLoughlin, McWade, Melick, Merritt, Milice, Ray, Roberts, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Webber, Wright, and Mr Speaker—43.

NOES—None.

Title read and approved.

SPECIAL ORDERS SET.

Mr. Cowan moved that Senate Bill No. 657 be made special order for Thursday, March 14, 1901.

So ordered.

Mr. Melick moved that Senate Bill No. 110 be made special order for Thursday, March 14, 1901.

So ordered.

Mr. Anderson of Solano moved that Senate Bill No. 471 be made special order for Thursday, March 14, 1901.

So ordered.

ADJOURNMENT.

At ten o'clock P. M., the Speaker declared the Assembly adjourned out of respect to the memory of the late General Benjamin Harrison, ex-President of the United States.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, March 14, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker Pendleton in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Dunlap, Fisk, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, Melick, Milice, Miller, Radcliff, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—57.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Webber, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Tuesday, March 12, 1901, was read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer—have had the same under consideration, and respectfully report the same back without recommendation.

Also, the following resolution:

Resolved, That the sum of $300 is hereby appropriated from the Contingent Fund of the Assembly for the purpose of branding all the furniture belonging to the Assembly chamber and for the use of the different committees; also, for the purchase of boxes, packing, marking, and shipping of all papers and documents belonging to Assemblymen to their places of residence at the close of the session. The Controller is hereby authorized and directed to draw his warrant in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, for the above amount ($300), and the State Treasurer is hereby authorized and directed to pay the same.

Have had the same under consideration, and recommend that the following substitute be adopted:

Resolved, That W. O. Banks, Sergeant-at-Arms of the Assembly, I. Wertheimer, book-keeper, 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' office in turning over to the Secretary of State the books, papers, and personal property in his charge, and in closing up all his accounts and completing the duties of his office, with the State Controller, and for the purpose of branding all of the furniture belonging to the Assembly chamber and for the use of the different committees; also, for the purchasing of boxes, packing, marking, and shipping all papers and documents belonging to the Assemblymen, to their places of residence at the close of the session. The State Controller is hereby authorized and directed to draw his warrant in favor of W. O Banks, Sergeant-at-Arms of the Assembly, for $475, and the State Treasurer is hereby authorized and directed to pay the same.

FISK, Chairman.

Resolution and report adopted.

ON IRRIGATION.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901

MR SPEAKER: Your Committee on Irrigation, to whom was referred Senate Bill No 562—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of Boards of Directors of such districts—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

MILICE, Chairman.

ON JUDICIARY

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Assembly Bill No 13—An Act to repeal an Act entitled "An Act making it unlawful to refuse admission to places of amusement," approved March 23, 1893.

Also: Assembly Bill No. 18—An Act to amend Section 629 of the Civil Code of the State of California, relating to gas to be supplied on written application, and damages for refusal.

Also: Assembly Bill No 20—An Act to amend Sections 328, 352, 357, and 358 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the time of commencing actions, and to repeal all Acts and parts of Acts inconsistent with this Act.

Also: Assembly Bill No 30—An Act to amend Section 1474 of the Code of Civil Procedure, relating to the vesting of the homestead declared during coverture.

Also: Assembly Bill No. 31—An Act to amend Section 370 of the Code of Civil Procedure, permitting married women to sue and be sued alone, without the joinder of the husband.

Also: Assembly Bill No. 32—An Act to amend Section 352 of the Code of Civil Procedure as to persons under disabilities not being affected by the running of the statute of limitations.

Also: Assembly Bill No. 37—An Act to repeal Section 1401 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872

Also: Assembly Bill No 38—An Act to amend Section 148 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872.

Also: Assembly Bill No 68—An Act to amend Section 604 of the Penal Code of the State of California, relating to the malicious injury or destruction of standing crops, grain, cultivated fruits or vegetables, the property of another.

Also: Assembly Bill No. 71—An Act to amend Sections 338 and 339 of the Penal Code of the State of California, relating to pawnbrokers

Also: Assembly Bill No. 78—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending Section 339 thereof, relating to the statute of limitations.

Also: Assembly Bill No 79—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," by amending Section 337 thereof, relating to the statute of limitations.

Also: Assembly Bill No. 114—An Act to amend Section 690 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to property exempt from execution.

Also: Assembly Bill No. 117—An Act to amend Section 2694 of the Political Code, relating to public highways

Also: Assembly Bill No. 123—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, relating to mutual building and loan associations and other similar corporations, repealing Section 648½ of the Civil Code, and all Acts and parts of Acts in conflict with this Act.

Also: Assembly Bill No. 131—An Act to amend Section 470 of the Political Code of the State of California, relating to the duties of the Attorney-General.

Also: Assembly Bill No. 138—An Act to amend Section 647 of the Penal Code of the State of California, concerning vagrants.

Also: Assembly Bill No. 141—An Act to amend Section 647 of the Penal Code of the State of California, concerning vagrants.

Also: Assembly Bill No 168—An Act to amend "An Act to establish a Penal Code," by amending Section 502 of said Penal Code, making Sections 339, 342, and 343 of such Penal Code applicable to persons carrying on the business of junk dealers, second-hand dealers, or keepers of bargain stores, and their agents, clerks, and employés, and to persons acting as brokers or commission agents in such business, and to their transactions of purchase and sale, as well as to those of pledge or mortgage, said sections of said Penal Code

Also: Assembly Bill No 169—An Act to add a new section to the Penal Code, to be known as Section 600½ relating to and defining the offense of burning structures and other property under $25 in value, not subject to arson, and specifying the penalty therefor.

Also: Assembly Bill No. 171—An Act to amend "An Act to establish a Penal Code," by amending Section 339 of said Penal Code, relating to the registration by pawnbrokers, or the agents of pawnbrokers, or persons doing the business of a pawnbroker upon commission for others, and of persons acting as brokers in transactions of pledge, of their transactions of pledge, and of purchase, and of sale, and defining the offense of not registering such transactions by them, and specifying the penalty therefor.

Also: Assembly Bill No. 172—An Act to amend "An Act to establish a Penal Code," by amending Section 343 of said Penal Code, relating to defining the offense of failing, refusing, or neglecting to produce for inspection the register of a pawnbroker, and others, and specifying the penalty therefor.

Also: Assembly Bill No. 173—An Act to amend "An Act to establish a Penal Code," by amending Section 600 of said Penal Code, relating to and defining the offense of burning structures and other property not subject to arson, and specifying the penalty therefor.

Also: Assembly Bill No 179—An Act to add a new section to the Code of Civil Procedure of the State of California, to be designated as Section 173, relating to appointment to office of relatives by judges

Also: Assembly Bill No. 188—An Act to amend Section 3785 of the Political Code, relating to revenue and taxes of this State

Also: Assembly Bill No 204—An Act to establish a tax on inheritance, bequests, and devises, to provide for its collection, and to direct the disposition of its proceeds

Also: Assembly Bill No 205—An Act amending subdivision two of Section 416 of the Political Code, by increasing the fees for filing articles of incorporation, and disposing of the proceeds.

Also: Assembly Bill No. 219—An Act to establish a law uniform with the laws of other States, relative to divorce procedure and divorce from the bonds of marriage.

Also: Assembly Bill No. 221—An Act to amend Section 789 of the Civil Code.

Also: Assembly Bill No. 236—An Act to amend Section 1119 of the Code of Civil Procedure

Also: Assembly Bill No. 245—An Act to amend the Penal Code by adding a new section thereto, to be numbered 310, relating to the sale and possession of opium prepared for smoking.

Also. Assembly Bill No 256—An Act to amend Section 1776 of the Code of Civil Procedure of the State of California, relating to the compensation and expenses of guardians.

Also: Assembly Bill No. 274—An Act to repeal Section 2652 of the Political Code, relating to road taxes.

Also: Assembly Bill No. 298—An Act to amend Section 2955 of the Civil Code of California, respecting the mortgaging of personal property.

Also: Assembly Bill No 315—An Act amending the Code of Civil Procedure 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. 317—An Act to amend Section 857 of the Civil Code, relating to express trusts, and the manner of selling real property under deeds of trust

Also: Assembly Bill No. 318—An Act to repeal Section 2932 of the Civil Code, relating to powers of sale in mortgages.

Also: Assembly Bill No. 333—An Act to amend Section 487 of an Act entitled "An Act to establish a Penal Code"

Also: Assembly Bill No 335—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: Assembly Bill No. 337—An Act to amend Section 208 of the Penal Code of the State of California

Also: Assembly Bill No. 338—An Act to amend Section 207 of the Penal Code, relating to crime of kidnaping

Also: Assembly Bill No 345—An Act to amend Section 1222 of the Code of Civil Procedure, relating to contempts.

Also: Assembly Bill No. 351—An Act to amend Section 799 of the Political Code, relating to notaries public.

Also: Assembly Bill No 357—An Act concerning the fees of jurors in civil cases.

Also: Assembly Bill No. 359—An Act to amend Section 1 of an Act entitled "An Act authorizing the appointment of trustees of the estate of missing persons, and defining the duties of such trustees," approved March 23, 1893.

Also: Assembly Bill No 365—An Act restricting the power of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep.

Also: Assembly Bill No. 372—An Act to amend Section 1699 of the Code of Civil Procedure, relating to settlement of accounts of trustees after distribution of estates and to compensation of trustees.

Also: Assembly Bill No 373—An Act adding a new section to the Civil Code, to be numbered 108, relating to divorces.

Also: Assembly Bill No. 374—An Act to amend Section 92 of the Civil Code.

Also: Assembly Bill No. 378—An Act to amend Section 591 of the Penal Code of the State of California.

Also: Assembly Bill No 392—An Act to add a new section to the Civil Code, to be known and numbered as 2225, relating to making factors and brokers involuntary trustees.

Also: Assembly Bill No. 436—An Act to add a new section to the Political Code of the State of California, to be numbered 3805½, concerning the cancellation of certificates of sale under void assessments for taxes, or when a deed made to the State under a sale of lands to the State for the non-payment of taxes would be void, to cancel the same.

Also: Assembly Bill No. 446—An Act entitled "An Act to amend Section 2032 of the Code of Civil Procedure of the State of California, relating to the manner of taking depositions in this State."

Also: Assembly Bill No 453—An Act to protect the manufacturing industries of this State.

Also: Assembly Bill No. 460—An Act creating a Bureau of Building and Loan Supervision, providing for the appointment of a chief officer therefor, to be known as the Building and Loan Commissioner, prescribing his duties, powers, and compensation; providing for a deputy, his powers and compensation; providing for the rental of offices for the use of the bureau, and for the expense thereof, and for traveling and office expenses; providing a system for licensing building and loan associations, and for assessing and collecting the fees therefor to meet the salaries and other expenses; providing for a course of procedure for the commissioner, Attorney-General, and courts in connection with such violations of law and unsafe practices as the commissioner may find to exist; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions, and liens pending liquidation; providing for, and requiring associations to procure licenses, pay assessments levied for expenses, and to make and file reports; providing for penalties for violations of law and orders of the commissioner by associations, the officers thereof, and others, providing for succession in office, and repealing all Acts and parts of Acts in connection herewith.

Also: Assembly Bill No 462—An Act to define the duties of, and to license land surveyors, approved March 31, 1891.

Also: Assembly Bill No. 475—An Act to amend an Act entitled "An Act regulating the sale of the lands uncovered by the recession or drainage of the waters of inland lakes, and unsegregated swamp and overflowed lands, and validating sales and surveys heretofore made," approved March 24, 1893.

Also: Assembly Bill No 496—An Act to protect real and personal property from injury by trespassing animals.

Also: Assembly Bill No 500—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims

Also: Assembly Bill No 508—An Act to amend Sections 1, 5, and 6, of "An Act to define the duties of and to license land surveyors," approved March 31, 1891.

Also: Assembly Bill No 509—An Act to amend Section 1727 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to Public Administrators.

Also: Assembly Bill No. 510—An Act to amend Section 1369 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to persons entitled to administer upon estates of deceased persons

Also: Assembly Bill No 530—An Act to amend Section 1460 of the Code of Civil Procedure, relating to embezzlement and surrender of property of the estate.

Also: Assembly Bill No. 574—An Act to amend Section 1379 of the Code of Civil Procedure of the State of California, relating to the administration of estates.

Also: Assembly Bill No. 594—An Act to amend Section 849 of the Penal Code of the State of California, relating to arrests

Also: Assembly Bill No 598—An Act to amend Section 171 of the Civil Code of the State of California, relating to the separate property of the wife, and to amend Section 715 of the Code of Civil Procedure of the State of California, relating to proceedings subsequent to execution.

Also: Assembly Bill No 609—An Act to amend an Act of the Legislature of the State of California entitled "An Act to establish a Political Code," approved March 12, 1872, by repealing Chapter IX of Title IX of Part III of said Act, relating to poll-taxes.

Also: Assembly Bill No. 620—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.

Also: Assembly Bill No. 635—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment for arson.

Also. Assembly Bill No 639—An Act to add a new section to the Code of Civil Procedure of the State of California, to be numbered and designated as Section 335a, fixing the period of limitation of certain actions, and to amend Sections 337 and 339 of the Code of Civil Procedure of the State of California.

Also: Assembly Bill No 641—An Act to amend the Civil Code of the State of California by amending Section 499 thereof

Also. Assembly Bill No. 648—An Act entitled "An Act to add a new section to an Act entitled 'An Act to establish a Political Code,'" approved March 12, 1872, to be known and numbered as Section 305, relating to trips by committees of the Legislature to public institutions, or other places, for purposes of investigation, and providing for their actual expenses on such trips

Also. Assembly Bill No. 657—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the service of a warrant of arrest

Also: Assembly Bill No. 658—An Act to amend Section 2924 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872

Also: Assembly Bill No 659—An Act to add a new section to the Penal Code to be numbered ——, relating to the issuance and sale of tickets of admission to theatrical or other public performances, concerts, or entertainments.

Also: Assembly Bill No. 667—An Act to amend Section 3805 of the Political Code, relative to tax sales

Also: Assembly Bill No 673—An Act to amend Section 331 of the Penal Code, relating to the use or rental of any house or lot for the purpose of gaming, and prohibiting such use, and fixing the penalty therefor.

Also: Assembly Bill No. 674—An Act to amend Section 330 of the Penal Code, relating to the prohibition of gaming, and fixing the penalty therefor.

Also: Assembly Bill No. 692—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897

Also: Assembly Bill No 693—An Act to amend "An Act to define the duties of, and to license land surveyors," approved March 31, 1891

Also: Assembly Bill No. 718—An Act to amend Section 1183 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Also: Assembly Bill No 719—An Act to amend Section 1206 of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments

Also: Assembly Bill No. 774—An Act to amend Sections 419, 437, 447, 449, and 450 of the Civil Code, relating to insurance corporations

Also: Assembly Bill No 787—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Also: Assembly Bill No 796—An Act to add a new section to the Political Code, to be numbered 750½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Also: Assembly Bill No. 797—An Act to amend Section 106 of the Code of Civil Procedure, relating to the territorial civil jurisdiction of justices' courts.

Also: Assembly Bill No 828—An Act to amend Section 1194 of the Code of Civil Procedure of the State of California

Also: Assembly Bill No 835—An Act creating a Bureau of Building and Loan Supervision; providing for the appointment of officials therefor, to be known as the Building and Loan Commissioners; prescribing their duties, powers, and compensation; providing for the rental of offices for the use of the bureau and for the expense thereof, and for traveling and office expenses; providing for a system for licensing building and loan associations, and for assessing and collecting the fee therefor to meet the salaries and other expenses; providing for a course of procedure for the commissioners, Attorney-General, and courts in connection with such violation of law and unsafe practices as commissioners may find to exist; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions, and liens, pending liquidation; providing for and requiring all associations to procure licenses, pay assessments levied for expenses, and to make and file reports; providing for penalties for violations of law and orders of the commissioners by associations, the officers thereof, and others; providing for succession in office, and repealing all Acts and parts of Acts in conflict herewith.

Also: Assembly Bill No 836—An Act to add a new section to the Political Code, to be known as Section 1292½, relating to proposed amendments to the Constitution of this State, and the canvass of votes for and against the same.

Also: Assembly Bill No. 843—An Act to amend Section 1068 of the Code of Civil Procedure of the State of California, relating to the writ of review

Also: Assembly Bill No. 844—An Act to amend Section 1486 of the Penal Code of the State of California, relating to the writ of habeas corpus.

Also: Assembly Bill No 846—An Act to amend Section 1487 of the Penal Code of the State of California, relating to the writ of habeas corpus

Also: Assembly Bill No. 683—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III, of an Act of the Legislature of the State of California, entitled an Act to establish a Political Code, approved March 12, 1872, and each and every section of said Chapter II, and to enact a new Chapter II of Title VI of Part III of said code, and substitute the same in place of said repealed Chapter II in said code, relating to roads and highways," approved February 28, 1883, relating to the issuance and refunding of a bonded indebtedness of the county for the construction, maintenance, and repair of roads, and the levying of taxes to pay the interest and redemption thereof

Also: Assembly Constitutional Amendment No. 7—Relative to amending Section 32 of Article IV so as to permit the payment of supplies or services rendered under authority or appointment of a State officer subsequently ratified or confirmed by a joint or concurrent resolution of the Legislature

Also: Assembly Constitutional Amendment No 13—A resolution to propose to the people of the State of California an amendment to Section 2 of Article IV of the Constitution of the State of California, in relation to the Legislature.

Also: Assembly Constitutional Amendment No. 22—Relative to amending Article XIV, relating to water and water rights.

Also: Assembly Constitutional Amendment No. 26—Relative to proposing an amendment to Sections 2 and 3, relating to judicial department.

Also: Assembly Joint Resolution No. 8—Relative to asking Representatives to urge investigation of acts of Judge Noyes at Cape Nome.

Report the same back without recommendation

JOHNSON, Chairman.

PETITION.

By Mr. Brown of San Mateo:

WHEREAS, The committee appointed by the Senate at the thirty-second session of the Legislature to make an examination of State institutions, in refering to the Board of State Harbor Commissioners, report: "There is no occasion whatever for a superintendent of the (ferry) building, except to give some one a place, the law placing the superintendency of that building in the Chief Wharfinger"; and

WHEREAS, The commission now has a man on its payroll at $100 per month as superintendent of the ferry building; and

WHEREAS, This Senate report further says: "There is no occasion for the employment of any police force by the Harbor Commission in the City of San Francisco, as it is the duty of the city and its police department to take care of all property within the city, and there is no authority of law and no necessity, so far as your committee can learn, for the maintenance of any such force"; and

WHEREAS, The commission now has in its employ two policemen at $75 per month; and

WHEREAS, Said report further says: "Watchmen are maintained upon the wharves, which is an unnecessary expense, the claim being made that because the State does not insure its property, it becomes necessary to employ watchmen to guard it. Your committee is of the opinion that there is nothing substantial in this claim. On all the wharves occupied to any great extent by transportation companies, they themselves keep a watchman for the protection of their own property, and certainly the State

has no occasion to keep one itself under such circumstances, and there is no occasion for the employment of these watchmen that your committee is advised of"; and

WHEREAS, The commission now employs three watchmen at a salary of $75 per month; and

WHEREAS, Howard C. Holmes, Chief Engineer of the commission, in his report to the Board for the two fiscal years ending June 30, 1900, says. "In the years 1899 and 1900 the number of cars switched on the Belt Railroad were 48,600, at an actual cost of about $1.25 per car, or at a loss of fifty cents per car for every car switched," thus showing a loss of over $12,000 per annum in this one item alone, and

WHEREAS, Grave charges of extravagance and unbusiness-like methods of management have been preferred against the Board of State Harbor Commissioners of San Francisco, not alone by the public press, but by reputable citizens, and the Chamber of Commerce of San Francisco, therefore, be it

Resolved by Pescadero Grange of the Order of Patrons of Husbandry, That we the members of said grange, individually as taxpayers and citizens, and collectively as an organization, having the welfare of our State, and especially the agricultural interests thereof, at heart, do most earnestly, yet respectfully, request the Legislature of California at its present session to take some action looking toward the thorough and impartial investigation of the management of said commission, and we would suggest that a hold-over committee be appointed for this purpose, in order that it may make a complete examination of the affairs of the commission, and report to the next session of the Legislature. And we would suggest to the Legislature the advisability, in case such a committee is appointed, of placing men thereon of known integrity and ability (and we believe there are such among even our much-abused legislators) for, we believe, if an attempt is made to whitewash or smother this thing, the day will come when it will "smell to high heaven" and be investigated by "the people," and when that day does come, woe betide the men and party who attempt to smother it; and be it futher

Resolved, That a copy of this resolution, duly signed by the secretary of this grange, stamped with the seal thereof, and countersigned by the master, be forwarded to Hon. W H. Brown, our representative in the State Legislature at Sacramento, with the request that he lay this matter before the Legislature and urge its investigation; and be it further

Resolved, That every subordinate grange in California be asked to urge their representatives in the Legislature to take similar action, inasmuch as this is a matter that touches the pockets of every producer in the State

B. HAYWARD, Master
MAY CHRISMAN, Secretary

[SEAL.]

Ordered printed in Journal.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, March 13, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No 392—An Act concerning confirming and ratifying leases and other contracts made by any officer or boards of officers of this State.

Also Senate Bill No. 432—An Act to amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California, and appropriating the sum of $50,000 for the erection and furnishing of said residence, and of all expenses connected therewith," which became a law under constitutional provision without the Governor's approval on March 7, 1899

Also: Senate Bill No. 552—An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644

Also: Appointed Senators Belshaw, Smith of Kern, and Lukens as a conference committee, to meet a like committee from the Assembly, to consider the Assembly amendments to Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein

Also: Appointed Senators Taylor, Cutter, and Caldwell as a conference committee to meet a like committee from your honorable body to consider Assembly amendments to Senate Bill No. 277—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be known as Section 637*a*, for the protection of meadow larks.

Also: Passed (as a case of urgency) Senate Bill No. 522—An Act making an appropriation to pay the claim of Jo D Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Also: Senate Bill No. 538—An Act to provide for the payment of judgments against counties, cities, cities and counties, and towns

Also: Senate Bill No 572—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children, during the years 1896, 1897, and 1898, in the sum of $242.

Also: Senate Bill No. 625—An Act amending Section 2237 of the Political Code, relating to the name and purpose of the Deaf, Dumb, and Blind Asylum.

F J BRANDON, Secretary of Senate.
By F C MICHAELIS, Assistant Secretary.

Senate Bill No. 522—An Act making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 538—An Act to provide for the payment of judgments against counties, cities, cities and counties, and towns.

Read first time, and referred to Committee on Judiciary.

Senate Bill No. 572—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Read first time, and referred to Committee on Ways and Means.

Senate Bill No. 625—An Act amending Section 2237 of the Political Code, relating to the name and purpose of the Deaf, Dumb, and Blind Asylum.

Read first time, and referred to Committee on State Hospitals and Asylums.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as cases of urgency) Assembly Bill No 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 200—An Act to provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Also: Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No 698—An Act to provide for the purchase and installation of additional bath-tubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Also: Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of the Agnews State Hospital, and appropriating money therefor.

Also: Assembly Bill No. 617—An Act to provide for improving the grounds of the Agnews State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor.

Also: Assembly Bill No 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Also: Assembly Bill No. 386—An Act to amend Section 296 of the Civil Code, relating to the filing of articles of incorporation.

Also: Assembly Bill No 238—An Act making an appropriation for repairs and improvements at the Woman's Relief Corps Home (located at Evergreen, Santa Clara County) for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War.

Also: Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J Elder for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Assembly Bills Nos. 199, 200, 697, 698, 699, 615, 617, 618, 235, 386, 238, and 426 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day (as a case of urgency) amended, and passed as amended, Assembly Bill No 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation—and respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Passed (as a case of urgency) Assembly Bill No 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Assembly Bill No. 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by inserting after the word "corporation," on page two, Section 1, line twenty-eight, the following: "and provided suits on behalf of such corporation to recover unpaid subscriptions from delinquent stockholders are not now pending in the Supreme Court of this State"

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Knight, Knowland, Laird, Mattos, McNeil, McWade, Milice, Miller, Myers, Radcliff, Ralston, Roberts, Savage, Schillig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—52

NOES—None

Assembly Bill No. 522 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1901

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount herein appropriated from the General Fund to said Adult Blind Fund.

Also: Assembly Bill No. 340—An Act appropriating $5,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital at Patton, California

Also: Assembly Bill No 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Amended, and passed as amended, Assembly Bill No. 793—An Act to amend the Political Code by repealing Sections 1357 to 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, concerning primary elections.

Also: Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

Also: Assembly Bill No. 506—An Act making an appropriation to pay for an air compressor for the State prison at Folsom.

Also: Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

And respectfully ask the concurrence of your honorable body in said Senate amendments

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 253, 340, and 342 ordered to enrollment.

Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to 1380 thereof, both inclusive, and by adding certain new sections to

said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

Made special order for three o'clock and thirty minutes P. M.

Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

The question being, "Shall the Assembly concur in the following Senate amendments?"

On page one, Section 1, lines eleven and twelve, strike out the words "nor more than ten years," and insert in lieu thereof the word "year."

Also, On page one, Section 1, line eight, strike out the word "sixteen," and insert in lieu thereof the word "fourteen"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Merritt, Miller, Ralston, Ray, Roberts, Rutherford, Savage, Schilig, Schlesinger, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 360 ordered to enrollment.

Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

The question being, "Shall the Assembly concur in following Senate amendment?"

Amend by inserting on page one, Section 1, line one, after the figure "1," the words: "The boundary line between the counties of Humboldt and Del Norte is hereby established as follows."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Carter, Chandler, Chiles, Cowan, Cromwell. Duryea, Feliz, Fisk, Foster, Franklin, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Mattos, McWade, Milice, Miller, Radcliff, Ralston, Roberts, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—47.

NOES—Mr. Clarke—1.

Assembly Bill No. 826 ordered to enrollment.

Assembly Bill No. 506—An Act making an appropriation to pay for an air compressor and a turning lathe for the State prison at Folsom.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend the title by striking out the words "and a turning lathe."

Also: Amend Section 1 by inserting after the word "dollars," in line three thereof, the words "or so much thereof as may be necessary."

Also: Amend by striking out the words "and a turning lathe," in line five, Section 1.

Also: Amend Section 3 by striking out the words "and turning lathe," in lines two and three of the printed bill

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Clarke, Collins,

Duryea, Feliz, Foster, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Merritt, Ralston, Ray, Roberts, Savage, Schilling, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 506 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California for the remainder of the fifty-second fiscal year

Also: Assembly Bill No. 579—An Act to amend Section 1192 of the Political Code, relating to elections.

Also: Assembly Bill No. 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Also: Assembly Bill No 873—An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases, and to manage said California Redwood Park.

Also: Passed (as a case of urgency) Senate Bill No 660—An Act authorizing Boards of Supervisors, or other governing bodies of municipalities, to declare holidays

Also: Passed Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business of corporations.

Also: Amended, and passed as amended, Assembly Bill No 456—An Act to add a new section to the Political Code of the State of California, to be known as Section 3366, relating to the powers of Boards of Supervisors, City Councils, and Town Trustees in their respective counties, cities, and towns, and to impose a license tax

Also. Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Adopted the report of the Senate conference committee relative to the Assembly amendments to Senate Bill No. 19—An Act to regulate the sale of commercial fertilizers, or materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act—which report recommended that the Senate concur in the Assembly amendments to said Senate Bill No 19.

F J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bills Nos. 856, 579, 189, and 873 ordered to enrollment.

Senate Bill No. 660—An Act authorizing Boards of Supervisors, or other governing bodies of municipalities, to declare holidays.

Read first time, and referred to Committee on Election Laws.

Assembly Bill No. 599 ordered to enrollment.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out the figures "4045" in title, line two, page one, printed bill, and inserting in lieu thereof the figures "3366."

Also· Amend by striking out the words after the word "tax" in the title, down to and including the word "business," in lines five and six, page one, printed bill

Also: Amend by striking out the words "four thousand and forty-five," in line three, page one, printed bill, and inserting in lieu thereof the words "three thousand three hundred and sixty-six "

Also: Amend by striking out all the words in lines four, to and including the word "State," in line twelve, pages one and two, printed bill, and inserting in lieu thereof the following:

"Section 3366. Boards of Supervisors of the counties of the State, and the legislative bodies of the incorporated cities and towns therein, shall, in the exercise of their police powers, and for the purpose of regulation, as herein provided, and not otherwise, have power to license all and every kind of business not prohibited by law, and transacted and carried on within the limits of their respective jurisdictions, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license tax upon the same,

and to provide for the collection of the same, by suit or otherwise; *provided*, that every honorably discharged soldier, sailor, or marine of the United States who is unable to obtain a livelihood by manual labor, shall have the right to hawk, peddle, and vend any goods, wares, or merchandise, except spirituous, malt, vinous, or other intoxicating liquor, without payment of any license tax or fee whatsoever, whether municipal, county, or State, and the Board of Supervisors or legislative body shall issue to such soldier, sailor, or marine, without cost, a license therefor"

Also: Amend by striking out the words "no license can be collected," in line sixteen, Section 1, second page, printed bill, and all of lines seventeen, eighteen, and nineteen of Section 1, second page of printed bill.

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Butler, Carter, Chiles, Cowan, Feliz, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Irving, Johnson, John, Kincaid, Knight, Laird, Mattos, McLoughlin, McWade, Melick, Radcliff, Ralston, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—43.

NOES—Mr. Chandler—1.

Assembly Bill No. 456 ordered to enrollment.

Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

The question being, "Shall the Assembly concur in Senate amendment submitted as follows?"

Amend by inserting on page one, Section 1, line one, before the word "Section," the word and figure "Section 1."

The roll was called, and the Assembly concurred in Senate amendment by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Duryea, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, McNeil, McWade, Melick, Merritt, Radcliff, Ray, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—45.

NOES—None,

Assembly Bill No. 869 ordered to enrollment.

RESOLUTIONS.

By Mr. Stewart of Amador:

Resolved, That Senate Bill No. 378 (76 on file) be made special order for to-morrow (March 15, 1901), immediately after reading of Journal.

Resolution read and adopted.

By Mr. Merritt:

Resolved, That the sum of $600 is hereby appropriated out of the Contingent Fund of the Assembly, payable to A. J. Johnston, the State Printer, for the printing of oil reports already ordered by the Assembly. The Controller is hereby directed to draw a warrant on the Contingent Fund of the Assembly in favor of said A. J. Johnston in payment of same

Resolution read, and referred to Committee on Ways and Means.

BILL WITHDRAWN FROM FILE.

Mr. Cowan moved that Senate Bill No. 572 be placed on Senate Special File, and that Assembly Bill No. 752 be withdrawn.

So ordered.

At ten o'clock and twenty-two minutes A. M., the Speaker called Mr. Fisk to the chair.

RESOLUTION—(CASE OF URGENCY).

By Mr. Fisk:

Resolved, That Assembly Bill No 881 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 Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Mr. Speaker—59.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read first time, and ordered to second reading.

Read second time.

Mr. Anderson of Solano moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Fisk in the chair, for the purpose of considering Assembly Bill No. 881.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Fisk in the chair.

Assembly Bill No. 881 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fisk in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes—and do now report the same back, and recommend that it do pass.

FISK, Chairman

Report adopted.

Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Considered engrossed, and ordered to third reading.

Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, John, Kelley, Kincaid, Laird, Levinson, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Reeber, Rutherford, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—54.

NOES—None.

Title read and approved.

SECOND-READING FILE.

Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Read second time.

Mr. Webber moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Fisk in the chair, for the purpose of considering Assembly Bill No. 783.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Fisk in the chair.

Assembly Bill No. 783 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fisk in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California—and do now report the same back, and recommend that the same do pass.

FISK, Chairman.

Report adopted.

Bill ordered to engrossment and third reading.

Mr. Myers moved that Assembly Bill No. 602 (345 on file) be read second time, under suspension of the rules.

So ordered.

Assembly Bill No. 602—An Act to encourage the destruction of coyotes; to provide a bounty on coyote scalps, and to make an appropriation therefor.

Read second time.

Mr. Myers moved that the Assembly resolve itself into a Committee of the Whole, with Mr. Fisk in the chair, for the purpose of considering Assembly Bill No. 602.

So ordered.

IN COMMITTEE OF THE WHOLE.

Mr. Fisk in the chair.

Assembly Bill No. 602 was considered in Committee of the Whole.

IN ASSEMBLY.

Mr. Fisk in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 602—An Act to encourage the destruction of coyotes; to provide a bounty on coyote scalps, and to make an appropriation therefor—and do now report the same back, and recommend that it do pass.

FISK, Chairman.

The question being on the adoption of report of the Committee of the Whole.

Mr. Anderson of Solano moved that report be laid on the table.

The roll was called, and motion to lay on the table lost by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bliss, Brown of San Mateo, Butler, Carter, Clarke, Cowan, Dunlap, Feliz, Fisk, Hanen, John, Kincaid, Knight, Mattos, McNeil, Milice, Ralston, Roberts, Schilig, Sutro, Treadwell, Walker, and Webber—27.

NOES—Messrs. Barnes, Bennink, Berry, Brady, Broughton, Chandler, Collins, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Irish, Irving, Johnson, Knowland, Laird. Levinson, Melick, Merritt, Miller, Myers, Radcliff, Ray, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Williams, and Wright—35.

Mr. Myers moved that Assembly Bill No. 602 be made special order for Friday, March 15, 1901.

Roll call was demanded by Messrs. Anderson of Solano, Ray, and John.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Barnes, Bennink, Brady, Broughton, Brown of San Francisco, Chandler, Chiles, Collins, Cromwell, Franklin, Gans, Greer, Guilfoyle, Haley, Hubbard, Irish, Irving, Johnson, Laird, Levinson, Melick, Merritt, Miller, Myers, Ray, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Williams, Wright, and Mr. Speaker—34.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Berry, Bliss, Brown of San Mateo, Butler, Carter, Cowan, Dunlap, Feliz, Fisk, Hanen, Hasson, John, Kincaid, Mattos, McNeil, Milice, Ralston, Roberts, Schilig, Sutro, Treadwell, Walker, and Webber—27

NOTICES OF MOTIONS TO RECONSIDER.

Mr. McNeil gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly passed Senate Bill No. 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California.

Motion made to reconsider, and same laid on the table.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly passed Senate Bill No. 82—An Act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals) becoming a public charge upon the counties, or cities and counties, within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons.

Motion made to reconsider, and same laid on the table.

Mr. Johnson gave notice that on next legislative day he would move to reconsider the vote whereby the Assembly passed Senate Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

Motion made to reconsider, and same laid on the table.

At eleven o'clock and twenty-five minutes A. M., the Speaker resumed the chair.

SPECIAL ORDERS.

Assembly Constitutional Amendment No. 21—A resolution proposing to the people of the State of California an amendment to Section 17 of Article XI of the Constitution of the State, in relation to depositing public funds of any county, city and county, city, or town.

The question being on the adoption of Assembly Constitutional Amendment No. 21.

The roll was called, and Assembly Constitutional Amendment No 21 refused adoption by the following vote:

AYES—Messrs. Barnes, Bennink, Broughton, Carter, Dunlap, Duryea, Hasson, Johnson, Levinson, Melick, Milice, Myers, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Stewart of San Diego, Webber, and Mr. Speaker—20.

NOES—Messrs. Atherton, Bauer, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Chiles, Collins, Cromwell, Feliz, Guilfoyle, Irish, Irving, John, Kincaid, Laird, McLoughlin, Radcliff, Roberts, Stewart of Amador, Treadwell, Walker, Williams and Wright—24.

REPORT OF SPECIAL COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR SPEAKER: Your special committee appointed under Assembly Concurrent Resolution No. 3—Relative to appointment of committee on resolutions in relation to death of Hon. Barnabas Collins—do now report that we have met a like committee from the Senate, consisting of Senators Devlin, Wolfe, Davis, Greenwell, and Taylor, and the joint committee of the Senate and Assembly presents the following resolutions

RUTHERFORD,
Chairman of Assembly Committee.

Report adopted.

WHEREAS, In the death of Hon. Barnabas Collins, a member of the Assembly from the Seventh District of the State of California, of the session of 1901, the Legislature and the State has lost an able, eloquent, and upright officer and citizen.

His early life was spent in intimate association with many of the ablest and greatest statesmen of his native State of Ohio, among whom were Hon. Ben Wade, Hon. John Sherman, Hon. Rutherford B. Hayes, ex-President, and Hon William McKinley, President of the United States.

His later years were spent in the seclusion of his California mountain home, where he devoted his time to the study of nature, literature, and public questions

He was a man of learning and integrity, possessed of sterling public virtue and private graces.

His charity was broad and comprehensive, and his devotion to his country outweighed the interest of partisan politics; be it therefore

Resolved, That we deeply regret the loss of the genial companionship and wise counsel of our fellow-member, and hereby extend to his bereaved family our heartfelt sympathy.

That a copy of these resolutions be engrossed by the Chief Clerk of the Assembly, and presented to his widow and family

DEVLIN.
WOLFE.
DAVIS.
GREENWELL
TAYLOR
RUTHERFORD.
COWAN.
DUNLAP.
HIGBY.
McNEIL.

Resolution adopted by a rising vote.

MOTION FOR RECONSIDERATION.

Mr. Sutro moved to reconsider the motion whereby the motion to reconsider the vote whereby the Assembly passed Senate Bill No. 569 was laid on the table.

Mr. Brady moved to lay Mr. Sutro's motion on the table.

Roll call was demanded by Messrs. Sutro, Cowan, and Cromwell.

The roll was called, and motion to lay on the table adopted by the following vote:

AYES—Messrs. Atherton, Barnes, Bauer, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Collins, Duryea, Fisk, Franklin, Greer, Guilfoyle, Hanen, Hasson, Hubbard, Johnson, John, Kelley, Knight, McLoughlin, McNeil, McWade, Myers, Radcliff, Ralston, Roberts, Savage, Schlesinger, Stewart of San Diego, Stewart of Amador, Webber, and Mr. Speaker—35.

NOES—Messrs Bennink, Berry, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Foster, Haley, Irish, Irving, Kincaid, Laird, Levinson, Melick, Miller, Rutherford, Schillig, Sheridan, Sutro, and Walker—22.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 58—An Act making an appropriation for the purchase and installment of improved machinery in the State Printing Office and Bindery, and specifying the duties of Superintendent of State Printing, Board of Examiners, State Controller, and State Treasurer in relation thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Butler, Carter, Chandler, Cowan, Cromwell, Dunlap, Duryea, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irving, Johnson, John, Kelley, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Radcliff, Ralston, Roberts, Rutherford, Savage, Schilig, Sheridan, Stewart of San Diego, Treadwell, Walker, Webber, and Mr. Speaker—49.

NOES—Messrs. Melick and Myers—2.

Title read and approved.

Senate Bill No. 332—An Act to provide for prosecuting attorneys of police courts in cities of the second class, and regulating the compensation of such officers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Dunlap, Feliz, Foster, Franklin, Greer, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irving, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Milice, Myers, Ralston, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—49.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Also: Report that the following bills have been correctly enrolled:

Assembly Bill No. 684—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by the alleged grantee or transferee, or the successors or assigns of such grantee or transferee, in an action where a transfer or conveyance of property is sought to be set aside on the ground that such transfer or conveyance was made to hinder, delay, or defraud creditors, so that after said undertaking is given the transferee or grantee to whom it is alleged the property was transferred or conveyed to hinder, delay, or defraud creditors, or the successors or assigns of such transferee grantee may sell, incumber, transfer, convey, mortgage, pledge, or otherwise dispose of the property, or any part thereof, so that the purchaser, incumbrancer, mortgagee, or grantee, or pledger, of such property will take, own, and possess such property unaffected by such action and suit or the judgment which may be rendered therein; to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted, and to provide for entry of judgment in said action upon the said undertaking.

Assembly Bill No. 685—An Act to provide for giving, conditioning, and executing an undertaking, with sureties, by a person, corporation, partnership, or association claiming to own property, or an interest therein, levied upon by execution, in an action wherein the said person, corporation, partnership, or association is not the judgment debtor, to release the property so claimed from the levy and lien of said execution, to provide for the examination and determination of the sufficiency of the sureties on such undertaking; to provide for making objections to such undertaking, and for the examination and determination of such objections, and the giving of a new undertaking in case any objection made is sustained by the court, or admitted.

Assembly Bill No. 109—An Act to amend Section 1186 of the Political Code, relating to conventions.

Assembly Bill No. 597—An Act to provide for the compilation, printing, binding, and publishing of a Legislative Manual and State Blue Book, or Roster, making a continuous appropriation for same, and repealing conflicting Acts.

And were presented to the Governor this day at ten o'clock and thirty-three minutes A. M.

FRANKLIN, Chairman.

RECESS.

At eleven o'clock and fifty-five minutes A. M., on motion of Mr. Johnson, the Assembly took a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened.

Speaker Pendleton in the chair.

Quorum present.

RESOLUTIONS.

By Mr. Johnson.

Resolved, That all resolutions for increased pay of attachés, or for pay of extra attachés, be referred to Committee on Ways and Means before action thereon is taken by the Assembly.

Resolution read and adopted.

By Mr. Carter:

Resolved, That Charles Darvey is hereby appointed porter to the Assembly at a per diem of $3 per day, to date from February 24, 1901, and that the Controller is hereby authorized and directed to draw his warrant on the Treasurer for the same, to be paid out of the Contingent Fund of the Assembly, and that the State Treasurer is hereby authorized and directed to pay the same.

Resolution read, and referred to Committee on Ways and Means.

SENATE SPECIAL FILE.

Senate Bill No. 377—An Act to amend Section 1159 of the Civil Code, relating to notices of location of mining claims.

Mr. Gans moved that Senate Bill No. 377 (47 on file) and Senate Bill No. 606 (70 on file) be transposed on file.

So ordered.

Senate Bill No. 606—An Act making an appropriation to pay expenses incurred at the State Forestry Station at Chico, California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Clarke, Dunlap, Duryea, Fisk, Foster, Gans, Greer, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, McLoughlin, McNeil, McWade, Merritt, Milice, Ralston, Reeber, Rutherford, Savage, Schillig, Sheridan, Stewart of Amador, Walker, Webber, Wright, and Mr Speaker—48.

NOES—None.

Title read and approved.

Mr. Guilfoyle moved to substitute Senate Bill No. 285 (85 on file) in place of Senate Bill No. 305 (48 on file).

So ordered.

Senate Bill No. 285—An Act to amend Sections 4, 5, and 8 of an Act approved March 29, 1897, entitled "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.' "

Read third time.

Mr. Foster moved that a select committee of one be appointed to amend Senate Bill No. 285 as follows:

Insert the words "City Treasurers are hereby directed to pay into the Teachers' Annuity and Retirement Fund the contributions of teachers and school officers whose salaries are paid by or through City Treasurers in the same manner as provided in the Act of which this Act is amendatory, to be paid by the Treasurer of a county, or consolidated city and county," on page seven, Section 3, line one hundred and sixty-three, after the words "city and county."

Motion carried, and so ordered.

Mr. Foster was appointed such select committee.

REPORT OF SELECT COMMITTEE OF ONE.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER. Your select committee of one, to whom was referred Senate Bill No. 285—An Act to amend Sections 4, 5, and 8 of an Act approved March 29, 1897, entitled "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' "—with instructions to amend, now reports that the instructions of Assembly have been carried out.

FOSTER, Committee.

Report and amendment adopted.

Bill ordered to print, and made special order for Friday, March 15, 1901.

Senate Bill No. 571—An Act empowering and authorizing the Board of State Harbor Commissioners to insure against loss or damage by fire the property of the State of California located on the water-front in San Francisco.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Clarke, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, James, John, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Merritt, Milice, Myers, Radcliff, Ralston Ray, Reeber, Rutherford, Schilig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Williams—48.

NOES—Messrs. Barnes, Bennink, Berry, Brown of San Mateo, Carter, Chandler, Hasson, Irish, Kincaid, Melick, Roberts, and Wright—12.

Title read and approved.

Senate Bill No. 234—An Act to amend Section 871 of the Code of Civil Procedure, relating to judgments by default in justices' courts.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 290—An Act making an appropriation to pay the claim of A. I. McSorley for costs of suit in foreclosing suit against delinquent purchasers of State school lands.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Hanen, Hasson, Hubbard, Irving, James, John, Kincaid, Knight, Levinson, McLoughlin, McNeil, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—54.

NOES—None

Title read and approved.

Senate Bill No. 555—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hasson, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, Melick, Milice, Myers, Ray, Reeber, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—53.
NOES—None.

Title read and approved.

Senate Bill No. 149—An Act to pay the claim of John P. Dulip against the State of California, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, John, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, McWade, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Mr. Speaker—50.
NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Chiles was granted leave of absence for the day.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 631—An Act to amend Section 853 of the Political Code of this State, relating to absence of officers.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, John, Kincaid, Knowland, Levinson, Mattos, McNeil, Merritt, Milice, Myers, Ralston, Ray, Reeber, Rutherford, Schillig, Schlesinger, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, Wright, and Mr. Speaker—51.
NOES—None.

Title read and approved.

Mr. Knowland moved to substitute Senate Bill No. 215 (61 on file) for Senate Bill No. 299 (55 on file).

So ordered.

Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan associations.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hubbard, Irish, Irving, James, John, Knowland, Laird, Levinson, McWade, Melick, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, and Mr Speaker—49.
NOES—Messrs. Kincaid, McNeil, Walker, and Webber—4.

Title read and approved.

Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at

Stockton, for the purchase of the necessary machinery and equipment, and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Guilfoyle, Haley, Hanen, Hasson, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Laird, Levinson, Mattos, McNeil, McWade, Melick, Milice, Myers, Ralston, Ray, Reeber, Rutherford, Schilig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—53.

NOES—None

Title read and approved.

At three o'clock P. M., Speaker pro tem. Ralston was called to the chair.

Senate Bill No. 556—An Act to add a new section to the Penal Code, to be numbered 380*a*, relating to the regulation of the marking, identifying, and sale of products of crude oil and petroleum used for illuminating and fuel purposes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, John, Kincaid, Knight, Laird, Levinson, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schilig, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Mr. Fisk moved to substitute Senate Bill No. 602 (97 on file) for Senate Bill No. 299 (61 on file).

So ordered.

Senate Bill No. 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Read second time, ordered to engrossment and third reading.

Mr. Hubbard moved to substitute Senate Bill No. 546 (84 on file) for Senate Bill No. 129 (62 on file).

So ordered.

Senate Bill No. 546—An Act to declare the Alturas and Lakeview Wagon Road, commencing at the south line of Modoc County, California, on a spur of the Warner range of mountains, and running thence north through Likely, Alturas, Davis Creek, and Willow Ranch to the south line of the State of Oregon, a State highway, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Collins, Cowan, Dunlap, Duryea, Feliz, Greer, Guilfoyle, Haley, Hanen, Henry, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, Melick, Merritt, Milice, Ray, Reeber, Roberts, Rutherford, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—49.

NOES—Messrs. Anderson of Solano, Bauer, Carter, Clarke, Fisk, Myers, Ralston, and Sheridan—8.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 602—An Act to encourage the destruction of coyotes; to provide a bounty on coyote scalps, and to make an appropriation therefor.

BERRY, Acting Chairman.

SPECIAL ORDER.

Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

The question being, "Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 793?"

Amend by striking out all of line eleven after the word "vote," all of lines twelve, thirteen, fourteen, fifteen, sixteen, seventeen, eighteen, nineteen, and the words "at that election," in line twenty, Section 1367, page fourteen, printed bill, as amended March 11, 1901, and inserting in lieu thereof the following: ' the voter thereby declares as a test of his right to vote a bona fide present intention of supporting the nominees of such political party or organization at the next ensuing election, and any voter may be challenged, and his right to vote may be withheld, unless he makes oath or affirmation as to his bona fide present intention to support the nominees of the convention to which delegates are to be so elected for such political party or organization."

The previous question was demanded by Messrs. Macbeth, Guilfoyle, and Schlesinger.

The roll was called, and amendment concurred in by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bliss, Brady, Broughton, Butler, Carter, Chandler, Clarke, Collins, Dunlap, Feliz, Fisk, Foster, Gans, Guilfoyle, Higby, Irish, Irving, James, John, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Merritt, Milice, Radcliff, Ralston, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—48.

NOES—Messrs. Bennink, Berry, Brown of San Mateo, Cowan, Cromwell, Duryea, Hanen, Hasson, Hubbard, Johnson, Kincaid, Knight, Knowland, Laird, Melick, Myers, Ray, Roberts, and Rutherford—19.

The question now being, "Shall the Assembly concur in the following Senate amendments?"

Amend Section 1359, line seven, by inserting after the word "results" the words "time for opening and closing of the polls."

Also: Amend Section 1361, line twenty-one, by inserting after the word "writing" the words "designated in this chapter as a petition."

Also: Amend by striking out the period at the end of line one hundred and seven, page seven, of the printed bill (as amended the third time in Assembly), and inserting in lieu thereof a semicolon and the words: "*provided, however*, that only such delegates as have been elected from any senatorial or assembly district shall make the nomination of Senator or Assemblyman from such district, respectively."

Also: Amend Section 1366, line one, by inserting after the word "voters" the words "and the privileges of electors to attend the polls"

Also: Amend Section 1366, line six, by inserting a comma after the word "registration."

Also: Amend Section 1366, line eighteen, by adding after the word "with" the words "the original affidavits of registration since the last election and."

Also: Amend Section 1366, line twenty eight, by adding the following: "It is the duty of the County Clerk to furnish, at least forty-eight hours prior to the day on which any primary election is held under the provisions of this chapter, to the city or town clerk of the city or town in which a primary is to be held, with all the original affidavits of registration, indexes and supplements thereto, for use by the officers of election at all the precincts of said primary election. City and town clerks are required to return to

the County Clerk within twenty-four hours after the closing of the polls all original affidavits of registration by them received from the County Clerk."

Also: Amend in line two, nineteenth page, printed bill, by inserting a comma after the word "before."

Also: Amend in line three, nineteenth page, printed bill, by inserting after the word "upon," a comma.

Also: Amend by striking out the words "as such deceased delegate," in line five, nineteenth page, printed bill, and inserting in lieu thereof the following: "as such, delegate, or if there is no other delegate remaining from said territory, then the other delegates thereto who were voted for in the same Assembly districts."

Also: Amend by inserting after the word "Court," in line fifteen, Section 1358, page two, printed bill, as amended March 11, 1901, the following: "(,) or Justice of the Peace in any city or county."

Also: Strike out the word "Section" before the numbers 1357 to 1375, both inclusive, printed bill.

The roll was called, and the remainder of Senate amendments concurred in by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, McNeil, McWade, Melick, Milice, Myers, Ralston, Roberts, Rutherford, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 793 ordered to enrollment.

EXPLANATION OF VOTES.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I vote against concurring in Senate amendment to Senate Bill No. 793, as to the test, because of a fear that it will render the bill unconstitutional, and in the hope that the Senate will recede in conference.

E. D. KNIGHT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I voted to concur in Senate amendment to Assembly Bill No 793, and also voted "aye" upon the passage of the bill, for the reason that I and my constituents desire a primary election law; but I believe that the constitutionality of the law is extremely doubtful, in view of previous decisions of the Supreme Court.

EDWARD F. TREADWELL.

SPECIAL ORDER.

ASSEMBLY JOINT RESOLUTION No. 16

Relative to requesting Congress to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of United States Senators by a direct vote of the people.

WHEREAS, A large number of the State Legislatures have at various times adopted memorials and resolutions in favor of election of United States Senators by popular vote; and,

WHEREAS, The National House of Representatives has on four separate occasions within recent years adopted resolutions in favor of the proposed change in the method of electing United States Senators, which were not adopted by the Senate; and

WHEREAS, Article five of the Constitution of the United States provides that Congress, on the application of the Legislatures of two thirds of the several States, shall call a convention for proposing amendments, and believing there is a general desire upon the part of the citizens of the State of California that the United States Senators should be elected by a direct vote of the people; therefore, be it

Resolved, That the Legislature of the State of California favors the adoption of an amendment to the Constitution which shall provide for the election of United States Senators by popular vote, and joins with other States of the Union in respectfully requesting that a convention be called for the purpose of proposing an amendment to the Constitution of the United States, as provided for in article five of the said Constitution, which amendment shall provide for a change in the present method of electing United States Senators, so that they can be chosen in each State by a direct vote of the people

Resolved, That a copy of this concurrent resolution and application to Congress for the calling of a convention be sent to the Secretary of State of each of the United States, and that a similar copy be sent to the President of the United States Senate and the Speaker of the House of Representatives.

Resolution read and adopted.

MOTIONS.

Mr. Johnson moved that when we take a recess this afternoon we do so until eight o'clock and fifteen minutes P. M.

So ordered.

Mr. Treadwell moved to extend time of recess fifteen minutes.

So ordered.

SPECIAL ORDERS—(RESUMED).

Mr. Anderson moved to take up out of order Senate Bill No. 471.

So ordered.

Senate Bill No. 471—An Act making an additional appropriation for the Auditing Board to the Commissioner of Public Works.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Broughton, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hasson, Irish, Irving, John, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McNeil, McWade, Myers, Ralston, Ray, Rutherford, Schillig, Sheridan, Stewart of San Diego, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—47.

NOES—Mr. Roberts—1.

Title read and approved.

Mr. Fisk moved to take up Senate Bill No. 155 (14 on file).

So ordered.

Senate Bill No. 155—An Act making an appropriation for postage, expressage, and contingent expenses of the Attorney-General for the fiftieth fiscal year.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Chandler, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Irish, James, Johnson, John, Kincaid, Knight, Laird, Macbeth, Mattos, McLoughlin, McWade, Melick, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Savage, Schillig, Sheridan, Stewart of San Diego, Treadwell, Webber, Wright, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Mr. Johnson moved to take up Senate Bill No. 619 (15 on file).

So ordered.

Senate Bill No. 619—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians, and who are not confined at State hospitals for the insane.

Read second time, and ordered to third reading.

Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Butler, Chandler, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Laird, Macbeth, Mattos, McNeil, McWade, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—49.

NOES—Messrs Cowan, John, McLoughlin, Melick, and Savage—5.

Title read and approved.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ELECTION LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: Your Committee on Election Laws, to whom was referred Senate Bill No. 660—An Act authorizing Boards of Supervisors or other governing bodies of municipalities to declare holidays.

Also: Senate Bill No. 583—An Act to amend Section 1116 of the Political Code, relating to the duties of the clerk concerning elections.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MACBETH, Chairman.

Senate Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Read second time, ordered to engrossment and third reading.

Senate Bill No. 660—An Act to add a new section to the Political Code of the State of California, to be known as Section 4086½, providing for Boards of Supervisors to offer a reward for the arrest of any person who has committed a felony, and for payment of same.

Read second time, ordered to engrossment and third reading.

EXPLANATION OF VOTE.

By Mr. Myers:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: In voting "aye" on Senate Bill No. 650, I do so because the grand jury of Kings County requested an incorporation in the County Government Act of provisions which I find therein.

My own judgment, after due consideration and comparison, is incorporated in Senate Bill No. 650

R. H. MYERS.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 110—An Act to enforce the educational rights of children, and providing penalties for the violation of this Act.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Bliss, Broughton, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irving, James, Johnson, Kincaid, Knight, Mattos, McNeil, Melick, Milice, Ralston, Roberts, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 657—An Act to amend Section 1 of an Act entitled "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 the inmates therein, and to repeal all Acts or parts of Acts in conflict with the provisions of this Act," approved March 31, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Brown of San Mateo, Butler, Carter, Chandler, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, Kincaid, Knight, Mattos, McNeil, Merritt, Milice, Ralston, Ray, Rutherford, Savage, Schillig, Schlesinger, Stewart of San Diego, Stewart, of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—49.

NOES—None.

Title read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Berry:

WHEREAS, C. F. Rednall, F. H. Doherty, James Brady, and W. J. Bigger, Bill Filers of the Assembly, have worked overtime and nights for thirty nights—two and one half hours each for said thirty nights; therefore, be it

Resolved, That the Controller is hereby authorized and instructed to draw his warrants, and the Treasurer is hereby authorized to pay the same, in favor of said named persons for said night work the amounts set opposite their respective names, said sums to be paid out of the Contingent Fund of the Assembly:

C. F. Redwald	$37 50
F. H. Doherty	37 50
James Brady	37 50
W. J Bigger	37 50

Read, and referred to Committee on Ways and Means.

By Mr. Irish:

Resolved, That Stanley Moorhead, Assistant Engrossing and Enrolling Clerk, be and he is hereby directed to remain at the Capitol for one week after the final adjournment of the Assembly, to assist in completing the work of the engrossing and enrolling department; and he is hereby allowed the statutory per diem of $5 for such work, payable out of the Contingent Fund of the Assembly

The Controller is hereby directed to draw his warrant in favor of the said Stanley Moorhead in the sum of $35, and the Treasurer is hereby directed to pay the same.

Read, and referred to Committee on Ways and Means.

MOTION.

Mr. Johnson moved that Senate Bill No. 619 be made special order for Friday, March 15, 1901.

So ordered.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 331—An Act to add two new sections to the Political Code, to be numbered 3805*a* and 3805*b*, to reënact Section 3859 of said code, and to amend Sections 3632, 3638, 3747, 3790, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said code, and to repeal Section 3640 of said code, all relating to the revenue and taxes of this State, and fixing the time within which claims for refunds of taxes must be made.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Broughton, Brown of San Mateo, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Irish, Irving, Johnson, Kincaid, Knight, Laird, Mattos, McNeil, McWade, Melick, Milice, Ralston, Rutherford, Savage, Schilling, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—42.

NOES—None.

Title read and approved.

Senate Bill No. 615—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 9, 1897.

Read second time, ordered to engrossment and third reading, and made special order for Friday, March 15, 1901.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bill has been correctly engrossed:

Assembly Bill No. 453—An Act to protect the manufacturing industries of this State.

Also: That the following bill has been correctly enrolled:
Assembly Bill No. 875—An Act making an appropriation for the support of the government of the State of California for the fifty-third and fifty-fourth fiscal years.
And was presented to the Governor this day, at two o'clock and fifty minutes P. M.
G. H. ANDERSON, Acting Chairman.

RECESS.

At five o'clock P. M., the Speaker declared a recess until eight o'clock and fifteen minutes P. M.

REASSEMBLED.

At eight o'clock and fifteen minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.
Quorum present.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 596—An Act to determine and declare the true boundary line between the counties of Trinity and Mendocino, in the State of California, and determining the map and field-notes of the survey of S. H. Rice, as approved by the Surveyor-General, to be correct.
Read third time.
The roll was called, and the bill refused passage by the following vote:

AYES—Messrs Anderson of Solano, Brady, Feliz, Hanen, Irving, Kincaid, Roberts, Sheridan, and Williams—9.
NOES—Messrs Anderson of Santa Clara, Bauer, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Clarke, Collins, Dunlap, Duryea, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hubbard, Irish, James, John, Knight, Knowland, Laird, Levinson, Mattos, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Reeber, Rutherford, Savage, Schilig, Schlesinger, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, and Mr. Speaker—50.

Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.
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 of Santa Clara, Bauer, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Clarke, Collins, Dunlap, Duryea, Fisk, Franklin, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, Johnson, Knight, Knowland, McNeil, Merritt, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schilig, Stewart of San Diego, Treadwell, Walker, Webber, Wright, and Mr. Speaker—43.
NOES—Messrs. Atherton, Bennink, Brown of San Mateo, Chandler, Cowan, Cromwell, Feliz, Foster, James, Kincaid, Laird, Levinson, Mattos, McLoughlin, Melick, Myers, Schlesinger, Sheridan, and Williams—19.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Mr. Dunlap gave notice that on next legislative day he would move to reconsider the vote whereby Senate Bill No. 483 was this day passed.

MOTION.

Mr. Dunlap moved that Senate messages be now considered.
So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 467—An Act making an appropriation to pay the claim of Christopher McNulty, for injuries received on property belonging to the State of California

Also: Senate Bill No. 548—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads

Also: Assembly Bill No. 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 467—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California.

Read first time, and ordered on Senate Special File.

Assembly Bill No. 611 (identical with Senate Bill No. 467) withdrawn.

Senate Bill No. 548—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads.

Read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 754 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 881 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 13, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Senate conference committee on Assembly amendments to Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—which committee reported that no agreement could be reached with the Assembly conference committee on said amendments. Senators Cutter, Rowell, and Leavitt were appointed a committee of free conference to meet a like committee from your honorable body to consider Assembly amendments to said Senate Bill No. 447.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Assembly Constitutional Amendment No 28—A resolution proposing to the people of the State of California amendments to the Constitution of the State, amending Article XX by adding thereto two new sections, to be known as Sections 21 and 22, relating to a State Commission to have charge, in certain respects, of railroads, transportation companies, common carriers, banks, insurance companies, water, gas, and electric light and power, telephone companies, telegraph companies, and sleeping-car companies, and express companies, and of certain services and commodities, howsoever supplied to the public, and regulations concerning the same, and repealing certain present constitutional provisions relative to the same subject.

Also: Refused adoption to the following: Assembly Constitutional Amendment No. 8—To propose to the people of the State of California an amendment to the Constitution of the State, amending Article IV, Section 33 thereof, relating to the regulation of charges of telephone corporations.

Also: Assembly Constitutional Amendment No. 11—Proposed amendment to Article XI of the Constitution, relative to the amendment of city and city and county charters.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Constitutional Amendment No. 28 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Bill No. 114—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds, and their eggs and nests.

Also: Senate Bill No. 120—An Act to amend Section 16 of an Act entitled "An Act to provide for the formation, government, operation, and dissolution of sanitary dis-

tricts, in any part of the State, for the construction of sewers, and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody, and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provisions for the payment of such bonds, and the disposal of their proceeds," approved March 31, 1891.

Also: Senate Bill No. 569—An Act to execute and carry into effect Section 3 of Article XXII of the Constitution of the State of California

Also: Amended, and passed as amended, Assembly Bill No. 576—An Act to amend Section No. 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, concerning compensation of county and township officers—and respectfully ask the concurrence of your honorable body in said Senate amendments.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary

Assembly Bill No. 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, concerning compensation of county and township officers.

The question being, "Shall the Assembly concur in the following Senate amendments?"

On page two, Section 1, line twenty-five, insert the word "the" between the words "of" and "county."

Also: On page three, Section 1, line fifty-three, insert between the words "Sheriff" and "and" the following: "*provided*, that for the period prior to twelve o'clock meridian on the first Monday after the first day of January, nineteen hundred and three, the said matron shall be appointed by the Board of Supervisors, and as to said office of jail matron and said appointment this subdivision shall take effect immediately."

Also: On page three, Section 1, line seventy-seven, strike out the word "clerk" between the words "index" and "whose," and insert in lieu thereof the word "deputy."

Also: On page three, Section 1, line eighty-two, strike out the word "clerk" between the words "index" and "two," and insert in lieu thereof the word "deputy."

Also: On page seven, Section 1, line two hundred and eight, strike out the word "clerks," and insert in lieu thereof the word "clerk."

Also: On page eight, Section 1, line two hundred and fifty-two, insert the word "people" between the words "thousand" and "two"

Also: Same page and section, line two hundred and fifty-four, insert the word "people" between the words "thousand" and "one."

Also: Same page and section, lines two hundred and fifty-six and two hundred and fifty-eight, insert the word "people" after the word "thousand" in each of said lines.

Also: On page nine, Section 1, insert the word "people" after the word "thousand" in each of the following lines: two hundred and seventy-four, two hundred and seventy-six, two hundred and seventy-seven, at the end of the line, and two hundred and seventy-nine.

Also: On page nine, Section 1, insert the following after the word "month," line two hundred and ninety-seven:

"17. Each of the official reporters of the Superior Court in counties of this class shall receive as full compensation for taking notes in civil and criminal cases tried in said court a monthly salary of one hundred and fifty ($150.00) dollars, payable out of the county treasury in the same manner and at the same time as salaries of county officers are paid. For transcription of said notes, when required, he shall receive fifteen (15) cents per folio; *provided*, that when more than one copy is required he shall receive ten cents per folio for each copy. The compensation for transcription in criminal cases shall be paid on the order of the court out of the county treasury. The fees for transcription in civil cases or proceedings shall be paid on the order of the court out of the county treasury. The fees for transcription in civil cases or proceedings shall be paid by the party ordering the same, or, when ordered by the judge, by either party, or by both parties, as the court may direct.

"When the services of the reporter are required in any civil matter, the clerk shall collect for each day of trial five ($5 00) dollars, one half from each party, and shall pay the same into the county treasury. This provision of this section shall take effect immediately."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bauer, Bennink, Berry, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Felix, Foster, Gulfoyle, Haley, Hasson, Irving, James, John, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, Melick, Merritt, Milice,

Myers, Ralston, Ray, Rutherford, Savage, Schlesinger, Sheridan, Stewart of San Diego, Treadwell, Walker, Williams, Wright, and Mr. Speaker—46.
NOES—Mr. Brady—1.

Assembly Bill No. 576 ordered to enrollment.

MOTION TO ADJOURN.

At nine o'clock and forty-five minutes P. M., Mr. Duryea moved to adjourn.

Roll call was demanded by Messrs. Myers, Bauer, and Schlesinger.

The roll was called, with the following result:

AYES—Messrs Bauer, Brady, Brown of San Mateo, Clarke, Collins, Duryea, Feliz, Irving, James, John, Knowland, Laird, McLoughlin, Milice, Rutherford, Savage, Schlesinger, Walker, and Williams—19.
NOES—Messrs. Atherton, Bennink, Brown of San Francisco, Butler, Carter, Chandler, Cowan, Dunlap, Foster, Guilfoyle, Haley, Hasson, Kincaid, Levinson, Melick, Myers, Ralston, Sheridan, Stewart of San Diego, Treadwell, and Wright—21.

ADJOURNMENT.

No quorum being present, the Speaker declared the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, March 15, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Ralston in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. John, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Wednesday, March 13, 1901, was read, corrected, and approved.

REPORTS OF STANDING COMMITTEES.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 381—An Act to create a State Board of Charities and Corrections, prescribing its duties and powers, and appropriating money therefor.

Also: Assembly Bill No 343—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 144—An Act to provide for the purchase of real property known as Agricultural Park, in the City of Sacramento, State of California, from the Board of Directors of the California State Agricultural Society, and to empower said Board of Directors to sell a portion of said park, and to purchase from other parties land adjoining thereto for the State, to be used by the State for the purpose of conducting an agricultural fair, and appropriating money for such purpose.

Also: Senate Bill No. 103—An Act making an appropriation to pay the deficiency for transportation of insane and feeble-minded children for the forty-ninth, fiftieth, fifty-first, and fifty-second fiscal years

Also: Senate Bill No. 522—An Act making an appropriation to pay the claim of Jo D Sproul, District Attorney of Butte County, for costs of suit in foreclosing delinquent purchasers of State school lands, and directing payment of same.

Also: Assembly Bill No. 831—An Act to establish a State Reform School for females under the age of eighteen years, and to make an appropriation therefor.

Also: Assembly Bill No. 734—An Act to pay the claim of Tyra Stanley for work done under Acts of the Legislature.

Also: Assembly Bill No. 733—An Act to provide for the payment of a claim of $2,100 in favor of I. H. Stanley for work done on reclamation district contracts.

Also: Assembly Bill No 629—A proposed Act providing for the registration of, and to regulate the sale of registered commercial fertilizers or registered materials used for manurial purposes, and to provide penalties for the infraction thereof, and means for the enforcement of the Act.

Also: Senate Bill No. 595—An Act to build and provide for the furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor

Also: Senate Bill No. 476—An Act making an appropriation to pay the county of Alameda for the support of orphans, half-orphans, and abandoned children during the half year ending June 30, 1898.

Have had the same under consideration, and respectfully report the same back without recommendation

FISK, Chairman

ON FISH AND GAME.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your Committee on Fish and Game, to whom was referred Assembly Bill No. 614—An Act to amend the Penal Code by adding a new section to Title XV thereof, to be numbered 637½, providing for the protection of wild birds, and their eggs and nests.

Also: Assembly Bill No. 102—An Act to amend Section 634 of the Penal Code of the State of California, relating to fish.

Also: Assembly Bill No. 691—An Act to amend Section 134 of the Penal Code of the State of California, relating to fish

Assembly Bill No. 744—An Act to provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries.

Also: Senate Bill No. 243—An Act to amend Sections 628, 632, and 635 of the Penal Code, and to add thereto a new section, numbered 636*a*, all relating to the preservation of fish.

Have had the same under consideration, and respectfully report the same back without recommendation.

HIGBY, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: Your Committee on Judiciary, having had under consideration Senate Bill No. 538—An Act to provide for the payment of judgments against counties, cities, cities and counties, and towns.

Also: Senate Bill No. 179—An Act to establish a law uniform with the laws of other States relative to divorce procedure, and divorce from the bonds of marriage

Also: Senate Bill No. 485—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872 relating to the service of a warrant of arrest.

Also: Senate Bill No. 41—An Act to amend the Civil Code of this State by adding four new sections thereto, to be known as Sections 1314, 1315, 1316, and 1316½, relating to depositing wills with the County Recorder, providing how the same shall be kept by him, how the same shall be delivered, and how the same shall be opened.

Also: Senate Bill No. 218—An Act to amend Section 849 of the Code of Civil Procedure, relating to the service of summons issued from justices' courts, and by whom and how such summons may be served

Also: Senate Bill No. 53—An Act entitled "An Act to amend Section 2032 of the Code of Civil Procedure of the State of California," relating to the manner of taking depositions in this State.

Also: Senate Bill No. 146—An Act to amend Sections 974, 975, 976, 977, and 980 of the Code of Civil Procedure, relating to appeals from justices' and police courts to the Superior Court.

Also: Senate Bill No. 119—An Act to amend Section 3805 of the Political Code, relating to erroneous tax assessments and sales.

Also: Senate Bill No. 372—An Act appropriating money for the payment of claims against the State, arising in the counties of Merced, Mariposa, Stanislaus, and Tuolumne, based upon the provisions of an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Report the same back without recommendation.

JOHNSON, Chairman.

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: Your Committee on Roads and Highways, to whom was referred Assembly Bill No 868—An Act to amend Sections 2641, 2642, 2643, and 2645 of the Political Code of the State of California, and to add new sections thereto, to be known as and numbered Sections 2646, 2646*a*, 2646*b*, 2646*c*, 2646*d*, 2646*e*, 2646*f*, relating to abolishing the office of Road Commissioner, and creating the office of Roadmaster.

Also: Assembly Bill No. 725—An Act making an appropriation of $20,000 for the expenses of maintaining, repairing, improving, and protecting the Lake Tahoe Wagon Road, together with its bridges and culverts, during the fifty-third and fifty-fourth fiscal years.

Also: Assembly Bill No 528—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near San Fernando, and running thence to connect with the road known as the Fort Tejon Road, and making an appropriation therefor.

Also: Assembly Bill No 149—An Act to provide for the classification of the roads in the State of California, and to define each class.

Also: Assembly Bill No. 151—An Act to amend Section 2651 of the Political Code, relating to the General Road Fund and highway taxes.

Also: Assembly Bill No. 152—An Act to provide for the acceptance of highways of the first class by the State, and the maintenance of the same, and to make an appropriation therefor.

Also. Assembly Bill No. 154—An Act to amend Section 2643 of the Political Code, relating to the road tax and its apportionment among road districts.

Also: Assembly Bill No. 155—An Act to amend Section 2655 of the Political Code, relating to highway taxes to be expended in districts.

Also: Assembly Bill No 636—An Act to amend Section 2651 of the Political Code, relating to the setting apart and use of a General Road Fund by the Board of Supervisors.

Have had the same under consideration, and respectfully report the same back without recommendation.

MERRITT, Chairman.

RESOLUTIONS.

By Mr. Fisk:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of $17 in favor of A. G. Fisk, to pay for expenditures as follows:

Extra stenographer, typewriting on General Appropriation Bill	$10 00
Postage stamps	6 50
Telegrams	50

Resolution read and adopted.

By Mr. John:

Resolved, That R. L. Dempsey, Journal Clerk of the Assembly, and Jeremiah Lucy, his assistant, be and they are hereby employed after the final adjournment of the thirty-fourth session of the Legislature of the State of California, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly in comparing and delivering the corrected and approved Journals and the five bond copies of the same (as required by law) to the Chief Clerk of the Assembly, when completed, and that they each be allowed the sum of $50 from and after the final adjournment of the thirty-fourth session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is directed to pay the same.

Read, and referred to Committee on Ways and Means.

By Mr. Treadwell:

Resolved, That only five minutes be given to the consideration of any one bill considered to-day or to-morrow.

Referred to Committee on Rules.

By Mr. Anderson of Santa Clara:

Resolved, That H. A. Wright, Enrolling Clerk of the Assembly, be and he is hereby employed after the final adjournment of the Assembly, for the purpose of completing the work on his books and delivering the same into the hands of the Secretary of State; and that he be allowed the sum of $50, payable out of the Contingent Fund of the Assembly; and the Controller is hereby directed to draw his warrant for said amount in favor of the above-named person, and the Treasurer is hereby directed to pay the same.

Read, and referred to Committee on Ways and Means.

By Mr. McNeil:

Resolved, That L. F. Stinson, Engrossing and Enrolling Clerk, be and he is hereby instructed to remain at the Capitol after the final adjournment of the Assembly, to complete the work of the Engrossing and Enrolling Department, and that he be allowed the sum of $50 for such work, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Read, and referred to Committee on Ways and Means.

By Mr. Carter:

Resolved, That R. Q. Wickham, Minute Clerk, and T. K. Carr and A. W. Broughton, his assistants, be and they are hereby employed to remain in Sacramento after final adjournment, to properly paste together, arrange, and label the original minutes, which must be filed with the Secretary of State, and that for such services each is allowed the sum of $75, payable out of the Contingent Fund of the Assembly. The Controller is directed to draw his warrant for and the Treasurer directed to pay the same.

Read, and referred to Committee on Ways and Means.

By Mr. Rutherford:

Resolved, That R. N. Smith be and he is hereby continued as messenger to the State Printer after adjournment of the Assembly until the work at the desk is finished and that the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of $35 in favor of R. N. Smith, and the State Treasurer is hereby authorized to pay the same out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

By Mr. Stewart of Amador:

Resolved, That James E. Dye, First Assistant Enrolling Clerk, be and he is hereby directed to remain at the Capitol for one week after the final adjournment of the Assembly, to assist in completing the work of the Enrolling Department, and he is hereby allowed the statutory per diem of $5 for such work, payable out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for said sum, and the Treasurer is hereby directed to pay the same.

Read, and referred to Committee on Ways and Means.

By Mr. Bennink:

Resolved, That Percy Hight, History Clerk of the Assembly, be and he is hereby allowed the sum of $75 for the purpose of completing the Final History of this Assembly of this session, and after the same is finally compiled and printed, he shall mail copies to the members of this Assembly. For the purpose of carrying out the requirements of this resolution, the sum of $25 in addition to the amount above be allowed to Percy Hight for the purpose of paying the postage on the Final History hereinbefore mentioned; that the Controller of the State be and he is hereby ordered to draw his warrant in favor of Percy Hight for the amounts above named, and the Treasurer of State is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

SPECIAL ORDERS.

Senate Bill No. 619—An Act to provide for restoration to capacity of persons adjudged to be insane who have no guardians, and who are not confined at State hospitals for the insane.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bauer, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Chandler, Clarke, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irving, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McNeil, Melick, Ralston, Ray, Rutherford, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, and Wright—43.

NOES—Mr. Brady—1.

Title read and approved.

Senate Bill No. 378—An Act fixing and defining a miner's inch of water.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Brown of San Mateo, Butler, Chandler, Clarke, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Guilfoyle, Haley, Hasson, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—47.

NOES—Mr. Hanen—1.

Title read and approved.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Johnson:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of E. J. Dwyer, clerk of the Committee on Judiciary, in the sum of $120, in favor of E. Hahn, assistant clerk of said Committee on Judiciary, in the sum of $120, and the Treasurer of State is hereby directed to pay the same in full payment to said Dwyer and Hahn, for extra services performed by said Dwyer and Hahn as said clerks of and for said Committee on Judiciary, the said warrants to be payable out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

Also:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of F. J. Sweeny for the sum of $140, in full payment for extra services rendered by said Sweeny as Sergeant-at-Arms of the Committee on Judiciary and as Sergeant-at-Arms of the Committee on Public Printing, and the Treasurer of State is hereby directed to pay said warrant, the same to be drawn on and paid out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

By Mr. Butler:

WHEREAS, Section 261 of the Political Code requires the Chief Clerk and his assistant clerks of the Assembly, at the close of each session of the Legislature, to mark, label, and arrange all bills and papers of the Assembly, and deliver them, together with all of the books and archives of the Assembly, to the Secretary of State, who must certify to the reception of the same; and

WHEREAS, Section 269 of said Political Code provides that each of said officers shall receive a compensation of $50 for said services; and

WHEREAS, The appropriation for the pay of officers provides for the payment of five of said clerks; therefore, be it

Resolved, That the Controller be and he is hereby directed and authorized to draw his warrant for the sum of $50 in favor of Ed J. Smith, an assistant clerk, and the Treasurer is hereby directed to pay the same; said warrant to be drawn upon and payable out of the appropriation for the contingent expenses of the Assembly.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 615—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 distribution of its proceeds," approved March 23, 1893, and amended by an Act approved March 9, 1895, and further amended by an Act approved March 9, 1897.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Bauer, Collins, Guilfoyle, Rutherford, and Stewart of San Diego—5.
NOES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Broughton, Brown of San Mateo, Butler, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Haley, Hanen, Hasson, Johnson, John, Kincaid, Laird, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—46.

RESOLUTION—(OUT OF ORDER).

By Mr. Evatt:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $34, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly, in favor of Walter Marino, for his services as watchman of the Assembly from January 7 to January 25, 1901.

Read, and referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Schlesinger was granted leave of absence for Saturday, March 16, 1901.

SPECIAL ORDERS—(RESUMED).

Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Haley, Hanen, Hasson, Hourigan, Irving, Johnson, John, Kincaid, Mattos, McNeil, Melick, Ralston, Ray, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—45.
NOES—None.

Title read and approved.

RESOLUTION—(CASE OF URGENCY).

By Mr. Sheridan:

Resolved, That Senate Bill No. 660 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, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Hanen, Hasson, Hourigan, Irving, James, Johnson, John, Kincaid, Knight, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Williams, and Wright—57.
NOES—None.

Senate Bill No. 660—An Act authorizing Boards of Supervisors, or other governing bodies of municipalities, to declare holidays.

Read second time, and ordered to third reading.

Senate Bill No. 660—An Act authorizing Boards of Supervisors, or other governing bodies of municipalities, to declare holidays.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Collins, Cowan, Dunlap, Foster, Gans, Guilfoyle, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Knight, Laird, Levinson, McLoughlin, McNeil, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—52.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Johnson:

Resolved, That the Controller of State is hereby directed to draw his warrant in favor of Wm. F. Renfro, stenographer for the Committee on Judiciary, in the sum of $120, and the Treasurer of State is hereby directed to pay the same, in full payment for extra services performed by said Renfro as said stenographer for said Committee on Judiciary, the said warrant to be payable out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

SENATE BILL TAKEN UP OUT OF ORDER.

Mr. Carter moved that Senate Bill No. 659 be taken up for consideration out of order.

So ordered.

Senate Bill No. 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brady, Carter, Chiles, Cowan, Cromwell, Evatt, Feliz, Foster, Franklin, Gans, Haley, Hasson, Hourigan, Irish, Irving, James, Kincaid, Levinson, McNeil, Melick, Milice, Miller, Radcliff, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, and Wright—43.

NOES—None.

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Anderson of Solano:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Charles F. Curry, Secretary of State, for the sum of $50, to pay for the engrossing of resolutions heretofore adopted by the Assembly, the same to be payable out of the Contingent Fund of the Assembly.

Read, and referred to Committee on Ways and Means.

SENATE BILL CONSIDERED OUT OF ORDER.

Mr. Cowan moved that Senate Bill No. 554 be taken up for consideration out of order.

So ordered.

Senate Bill No. 554—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered and known as Section 680.

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 of Solano, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Carter, Chiles, Collins, Cowan, Cromwell, Duryea, Evatt, Feliz, Foster, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Laird, Levinson, Macbeth, McLoughlin, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Savage, Schlesinger, Sheridan, Simpson, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—52.

NOES—Messrs. Brown of San Francisco, Knight, Stewart of San Diego, and Treadwell—4.

Title read and approved.

EXPLANATION OF VOTE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I voted "no" on Senate Bill No. 554 for the reason that the bill, as it appeared in my file, was in the form of a general law, when it should have been made part of the Penal Code, and I did not know that it had been codified by amendment, and was informed by the gentleman having it in charge that it had not been so codified. I learned the error too late to change my vote.

TREADWELL.
KNIGHT.

Ordered printed in the Journal.

MOTION FOR RECONSIDERATION.

Mr. Fisk moved that the vote whereby the Assembly passed Senate Bill No. 483 on last legislative day be reconsidered.

At eleven o'clock and thirty minutes A. M., the Speaker resumed the chair.

The question being on the motion for reconsideration.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Dunlap moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Ralston, Ray, Reeber, Roberts, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—65

RECESS.

Pending call of the House, the hour of recess having arrived, the Speaker declared a recess until two o'clock P. M.

REASSEMBLED.

At two o'clock P. M., the Assembly reconvened under call of the House.

Speaker Pendleton in the chair.

Quorum present.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Johnson moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called.

CALL OF THE HOUSE.

Pending announcement of vote, Mr. Melick moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bauer, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Irish, James, Johnson, John, Kincaid, Knight, Knowland, Laird, McNeil, McWade, Melick, Merritt, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—60.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Melick moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and vote refused reconsideration by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Brown of San Mateo, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Haley, Hanen, Hasson, Irish, James, Johnson, John, Kincaid, Laird, Levinson, Mattos, Melick, Milice, Myers, Reeber, Roberts, Rutherford, Schlesinger, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, and Williams—37.

NOES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Clarke, Evatt, Fisk, Gans, Guilfoyle, Henry, Higby, Hourigan, Irving, Knight, Knowland, McNeil, McWade, Merritt, Miller, Radcliff, Ralston, Ray, Savage, Treadwell, Walker, Webber, Wright, and Mr. Speaker—31.

REPORT OF COMMITTEE OF FREE CONFERENCE.

The question being on the adoption of the report of the committee of free conference relative to Senate Bill No. 447, as follows:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your committee of free conference concerning Senate Bill No 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—report that we have met a like committee of the Senate, consisting of Senators Cutter, Rowell, and Leavitt, and we report that the free conference committee agreed upon and recommend that the Assembly recede from those portions of the Assembly amendment to Section 2 which relate, respectively, to Assembly districts numbered ten, eleven, fifty-eight, and fifty-nine; being subdivisions ten, eleven, fifty-eight, and fifty-nine of said Section 2.

And your committee further recommend that the following amendments be made to Section 2:

1 That subdivision ten of said Section 2 be amended to read as follows:

"10. The counties of Placer and El Dorado shall constitute the Tenth Assembly District."

2. That subdivision eleven of said Section 2 be amended to read as follows·

"11 The counties of Amador, Calaveras, Alpine, and Mono shall constitute the Eleventh Assembly District."

3. That subdivision fifty-eight of said Section 2 be amended to read as follows:

"58. The County of San Benito shall constitute the Fifty-eighth Assembly District"

4. That subdivision fifty-nine of said Section 2 shall be amended to read as follows:

"59. The County of Monterey shall constitute the Fifty-ninth Assembly District."

Respectfully submitted.

JOHNSON,
GANS,
SAVAGE,
Free Conference Committee of Assembly.

CUTTER,
ROWELL,
LEAVITT,
Free Conference Committee of Senate.

The roll was called, and report adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Clarke, Collins, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Hasson, Henry, Higby, Hourigan, Johnson, John, Knight, Knowland, Mattos, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Wright, and Mr. Speaker—48.

NOES—Messrs Chiles, Cowan, Duryea, Feliz, Haley, Hubbard, James, Kincaid, Laird, Levinson, McLoughlin, Miller, Ralston, Ray, Reeber, Schlesinger, Sheridan, Sutro, and Williams—19.

At two o'clock and thirty minutes P. M., the Speaker called Mr. Sutro to the chair.

EXPLANATION OF VOTE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I have voted for the adoption of this report because I consider the joint action of the Republican members of the Legislature in caucus binding upon me, being a member of said caucus, but I believe the bill to be a denial of the rights of the people of the State of California to equal representation under the Constitution, and an unfair and unequal apportionment in so far as the giving of an Assemblyman to the County of San Benito is concerned.

FRED L. STEWART.

MOTION.

Mr. Johnson moved to amend Rule 67 of the Standing Rules of the Assembly by adding thereto as follows, viz:

During a call of the House no proceedings shall be had or be in order except a motion to adjourn or to suspend proceedings under the call, which shall each be decided without debate. No recess can be taken under a call of the House. The ayes and noes may be taken while the Assembly is acting under a call of the House, upon the motions that can be made.

Read, and referred to Committee on Rules and Regulations.

SENATE SPECIAL FILE.

Senate Bill No. 234—An Act to amend Section 871 of the Code of Civil Procedure, relating to judgments by default in justices' courts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Mattos, Melick, Milice, Myers, Reeber, Savage, Schlesinger, Stewart of San Diego, Sutro, Treadwell, Walker, and Mr Speaker—47.

NOES—Mr. Duryea—1.

Title read and approved.

Senate Bill No. 553—An Act to establish a State reform school for females under the age of twenty-one years, and to make an appropriation therefor.

The following amendments were submitted:

By Mr. Savage:

Amend by striking out of Section 1, line two of the printed bill, the word "Riverside," and inserting in lieu thereof the words "Los Angeles."

Also: Amend by striking out of Section 1, line four of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Santa Monica."

Also: Amend by striking out of Section 1, line nine of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Ocean Beach."

Also: Amend by striking out of Section 4, line four of the printed bill, the word "Riverside," and inserting in lieu thereof the words "Los Angeles."

Also: Amend by striking out of Section 1, line five of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Santa Monica."

Also: Amend by striking out of Section 4, line fourteen of the printed bill, the word "Riverside," and inserting in lieu thereof the words "Los Angeles."

Also: Amend by striking out of Section 4, line eighteen of the printed bill, the word "Riverside," and inserting in lieu thereof the words "Los Angeles."

Also: Amend by striking out of Section 13, line seventeen of the printed bill, the word "Riverside," and inserting in lieu thereof the words "Los Angeles."

Also: Amend by striking out of Section 14, line ten of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Ocean Beach."

Also: Amend by striking out of Section 14, line fifteen of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Ocean Beach."

Also: Amend by striking out of Section 26, line thirty-four of the printed bill, the words "San Jacinto," and inserting in lieu thereof the words "Ocean Beach."

Amendments lost.

By Mr. Clarke:

Amend by striking out of Section 1, line two, the word "Riverside," and inserting the word "Ventura."

Also: Amend by striking out of Section 1, line four, the words "San Jacinto," and inserting the words "Santa Paula."

Also: Amend by striking out of Section 1, line nine, the words "San Jacinto," and inserting the words "Santa Paula."

Also: Amend by striking out of Section 4, line four, the word "Riverside," and inserting the word "Ventura."

Also: Amend by striking out of Section 4, line five, the words "San Jacinto," and inserting the words "Santa Paula."

Also: Amend by striking out of Section 14, line ten, the words "San Jacinto," and inserting the words "Santa Paula."

Also: Amend by striking out of Section 14, line fifteen, the words "San Jacinto," and inserting the words "Santa Paula."

Also: Amend by striking out of Section 26, line thirty-four, the words "San Jacinto," and inserting the words "Santa Paula."

Amendments adopted.

By Mr. Dunlap:

Amend by striking out the enacting clause.

Amendment adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

ON RULES AND REGULATIONS

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: Your Committee on Rules and Regulations report the following temporary rules:

That the order of the day shall be the consideration of the Senate Special File.

That in consideration of said file, all bills thereon that have been read the first time shall be read the second time

That in considering all bills on said file that are on their final passage, each member shall have the right to call up one bill only as his name is called, the names of members to be arranged as per roll call.

That in considering all bills on the Senate Special File, ten minutes only shall be given for debate on each bill, five minutes of which time shall be given those favoring the bill and the remainder to those in opposition.

DUNLAP, Chairman.

Report adopted.

Senate Bill No. 625 recalled from Committee on State Hospitals and Asylums, and placed on Senate Special File.

At three o'clock and fifteen minutes P. M., the Speaker resumed the chair.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit its final report for the thirty-fourth session, the same being for the two weeks ending March 15, 1901, as follows:

Bills Referred to this Committee Since Last Report.

Mar. 5,	Senate Bill No 555—To provide for removing obstructions in Pit River, above the mouth of Hat Creek, so as to enable salmon to reach the spawning grounds on the upper waters of said river and its tributaries	$3,000 00

Mar 5,	Senate Bill No. 274—To provide for certain improvements at the Southern California Hospital, and making an appropriation therefor	$40,000 00
5,	Senate Bill No. 149—To pay the claim of John P. Dulip against the State, etc	3,243 43
5,	Senate Bill No 272—Appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital, etc	5,000 00
5,	Senate Bill No. 15—To provide for the erection of a modern hospital building for the Veterans' Home located at Yountville, etc	25,000 00
6,	Assembly Bill No 831—To establish a State reform school for females under the age of eighteen years, and to make an appropriation therefor	15,000 00
6,	Senate Bill No. 384—Making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital, etc.	8,000 00
6,	Senate Bill No. 385—Making an appropriation of $15,000 to be used by the Board of Managers of the Stockton State Hospital, etc.	15,000 00
6,	Senate Bill No. 432—To amend an Act entitled "An Act providing for the construction and furnishing of a residence for the Governor of the State of California," etc.	-------
6,	Senate Bill No. 415—Making an appropriation of money for the reconstruction and repair of the sewer pipes, etc., of the Napa State Hospital, etc.	10,000 00
7,	Senate Bill No. 454—Making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor, of W. A. Boyd and W. H. Randal, etc	1,000 00
7,	Senate Bill No. 546—To declare the Alturas and Lakeview Wagon Road, etc., a State highway	20,000 00
7,	Senate Bill No. 595—To build and provide for the furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor	25,000 00
7,	Senate Bill No 50—To provide for the purchase of real property, known as Agricultural Park, in the City of Sacramento, etc, from the Board of Directors of the California State Agricultural Society, etc.	45,000 00
8,	Senate Bill No. 553—To establish a State reform school for females under the age of twenty-one years, and to make an appropriation therefor	15,000 00
8,	Senate Bill No. 245—Making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court	5,000 00
8,	Assembly Bill No. 267—Appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, etc.	7,000 00
Mar 11,	Committee Substitute for Senate Bill No 603—Amending Section 1521 of the Political Code, etc	20,000 00
13,	Senate Bill No 602—To add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, etc	----------
13,	Senate Bill No. 659—Making additional appropriations to provide for improvements and repairs, Normal School, Los Angeles	7,500 00
14,	Senate Bill No 522—Making an appropriation to pay the claim of Jo D. Sproul, District Attorney of Butte County, etc.	85 72

Assembly Concurrent Resolutions Referred to this Committee.

Feb. 28,	Assembly Concurrent Resolution No. 8—Relative to adjournment *sine die* of thirty-fourth session of the Legislature	----------
Mar. 7,	Assembly Concurrent Resolution No. 10—Relative to a monument fund for ex-United States Senator Stephen M. White	1,250 00
		$271,079 15

Bills Reported Favorably.

Mar. 5,	Senate Bill No. 358	$1,000 00
8,	Assembly Bill No. 575	10,000 00
12,	Assembly Bill No. 566	300 00
5,	Senate Bill No. 606	374 45
5,	Senate Bill No. 290	87 32
5,	Senate Bill No. 58	35,000 00
8,	Senate Bill No 555	3,000 00
12,	Senate Bill No. 274	40,000 00
12,	Senate Bill No. 272	5,000 00
7,	Senate Bill No. 384	8,000 00
7,	Senate Bill No. 432	-------

Mar. 8,	Senate Bill No. 454	$1,000 00
7,	Senate Bill No. 546	20 000 00
8,	Senate Bill No. 50	45,000 00
8,	Assembly Bill No. 267	7,000 00
11,	Committee Substitute for Senate Bill No. 603	20,000 00
12,	Senate Bill No. 155	315 55
5,	Senate Bill No. 383	6,000 00
7,	Senate Bill No. 149	3,243 53
7,	Senate Bill No. 385	15,000 00
13,	Senate Bill No. 659	3,500 00
11,	Assembly Concurrent Resolution No. 8	----------
8,	Assembly Concurrent Resolution No. 10	1,250 00
		$225,070 75
	Deduction to correct error in report of March 2, Senate Bill No. 19	9,000 00
		$216,070 75

Bills Reported Unfavorably.

Mar. 5,	Assembly Bill No. 532	$59,000 00
7,	Assembly Bill No 551	10,000 00
12,	Assembly Bill No. 782	1,447 09
7,	Assembly Bill No. 524	40 00
5,	Assembly Bill No. 602	20,000 00
8,	Assembly Bill No. 730	35,000 00
12,	Senate Bill No. 553	15,000 00
12,	Senate Bill No. 245	5,000 00
		$155,487 09

Bills Reported Without Recommendation.

Mar. 5,	Assembly Bill No. 470	$1,856 78
5,	Assembly Bill No. 642	5,000 00
5,	Senate Bill No. 222	611 30
5,	Senate Bill No. 15	25,000 00
13,	Senate Bill No. 602	----------
14,	Assembly Bill No. 381	----------
14,	Assembly Bill No. 343	92,000 00
14,	Assembly Bill No. 831	15,000 00
14,	Assembly Bill No. 144	100,000 00
14,	Assembly Bill No. 734	600 00
14,	Assembly Bill No. 733	2,100 00
14,	Assembly Bill No. 629	----------
14,	Senate Bill No 103	9,063 00
14,	Senate Bill No. 595	25,000 00
14,	Senate Bill No. 476	3,089 25
14,	Senate Bill No. 522	85 72
		$279,406 05

Bills Improperly Referred to Committee.

Mar. 7,	Senate Bill No. 408	----------

Bills Returned Pursuant to Resolution.

Mar. 12,	Senate Bill No. 415	$10,000 00

Bills Withdrawn.

Mar 5,	Assembly Bill No 398	$39,300 00
5,	Assembly Bill No. 492	9,130 00
5,	Assembly Bill No. 514	3,710 00
5,	Assembly Bill No. 64	50,000 00
7,	Assembly Bill No. 244	100,000 00
5,	Assembly Bill No. 655	3,000 00
7,	Assembly Bill No. 710	200,000 00
5,	Assembly Bill No. 600	4,500 00
8,	Assembly Bill No. 619	6,000 00
5,	Assembly Bill No. 772	800 00
8,	Assembly Bill No 12	60,000 00
5,	Assembly Bill No. 788	5,150 00
7,	Assembly Bill No. 455	6,486 86
		$488,076 86

Recapitulation.

Total appropriations referred to this committee to date	$5,137,076 83
Total appropriations reported favorably	2,403,198 35
Total appropriations reported unfavorably	773,000 00
Total appropriations reported without recommendation	567,338 40
Bill returned	10,000 00
Total appropriations reported with the recommendation that they be withdrawn	1,602,732 61

Respectfully submitted.

FISK, Chairman

Ordered printed in Journal.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolutions--have had the same under consideration, and respectfully report the same back, and recommend that they be adopted

FISK, Chairman

By Committee on Ways and Means:

Resolved, That Committee Clerks H. F. Bridges and E. J. Dwyer, of the Ways and Means and Judiciary committees, respectively, be each allowed the sum of $150 as payment for overtime work and additional services rendered the thirty-fourth session of the California Legislature, and for the completion of all unfinished clerical work after the adjournment of the Legislature; and the Controller is hereby directed to immediately draw his warrant against the Contingent Fund of the Assembly in said amount in favor of said H F. Bridges and E. J. Dwyer, and the State Treasurer is directed to pay said warrants.

Read, and ordered printed in the Journal, on motion of Mr. Melick.

By Mr. McNeil:

Resolved, That L. F. Stinson, Engrossing and Enrolling Clerk, be and he is hereby instructed to remain at the Capitol after the final adjournment of the Assembly, to complete the work of the Engrossing and Enrolling Department, and that he be allowed the sum of $50 for such work, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Read, and ordered printed in the Journal.

By Committee on Ways and Means:

Resolved, That L. A. Hilborn and H. S Wanzer be and they are hereby authorized and directed to compile, prepare, and have printed a final calendar of the legislative business of the thirty-fourth session, embracing a history of all bills introduced, their authors, the number that have become laws, those that have been read the second readings, and all other information that will create a perfect guide and history of the session's business; together with this shall be the expenses of the Senate and Assembly, and of printing, such information being prepared not only for the public, but as a guide for the thirty-fifth session of the Legislature For the purpose of carrying out this work, the sum of $175 each is hereby allowed said above-named persons ($50 of the sum total being to pay the postage and expenses of forwarding copies of such final history to each member of the Legislature and for other expenses in connection therewith), and the State Controller is hereby directed to immediately draw his warrants in favor of said persons, in said sums, against the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay said warrants.

Read, and ordered printed in the Journal.

Also:

Resolved, That Clio Lloyd, Chief Clerk, and James A. Oliver and Clark Alberti, Assistant Clerks, and John Mott, File Clerk, be instructed and employed to remain in Sacramento after the close of the Legislature to properly close up the business of this, the thirty-fourth session, certify and deliver all books, bills, committee registers, etc., to the Secretary of State, deliver all property of this body to the proper officials, verify all proceedings in enrollment, and do all necessary work in the premises; and that for so doing the sum of $100 be allowed said Chief Clerk Clio Lloyd, and the sum of $75 each be allowed said Oliver, Alberti, and Mott, and the State Controller is hereby directed to immediately draw his warrants in favor of said persons and in said sums against the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay said warrants.

Read, and ordered printed in the Journal.

By Mr. Anderson of Santa Clara:

Resolved, That H A. Wright, Enrolling Clerk of the Assembly, be and he is hereby employed after the final adjournment of the Assembly, for the purpose of completing the work on his books and delivering the same into the hands of the Secretary of State, and that he be allowed the sum of $50, payable out of the Contingent Fund of the Assembly; and the Controller is hereby directed to draw his warrant for said amount in favor of the above-named person, and the Treasurer is hereby directed to pay the same

Read, and ordered printed in the Journal.

By Committee on Ways and Means:

Resolved, That the sum of $90 be and the same is hereby appropriated out of the Contingent Fund of the Assembly, for the purpose of paying for the engrossment of resolutions of respect in memoriam of the Hon. Stephen M. White, and the Hon Barnabas Collins, deceased member of the thirty-fourth session of the Legislature of the State of California. The Controller of the State is hereby authorized to draw his warrant for said amount in favor of Clio Lloyd, being $50, as per attached bill, for engrossing the White resolution, and $40 for engrossing the Collins resolution, and the Treasurer is hereby directed to pay the same.

Read, and ordered printed in the Journal.

By Mr. Bliss:

Resolved, That the attachés of the postal service of the Assembly be and they are hereby directed to remain at the Capitol for one week after the final adjournment of the Assembly, for the purpose of caring for the mail and sending the same to members and others, and that they be allowed their regular per diem therefor, payable out of the Contingent Fund of the Assembly; and the Controller is hereby directed to draw his warrants in payment of same, and the State Treasurer is hereby authorized and directed to pay same.

Read, and ordered printed in the Journal.

By Mr. Carter:

Resolved, That R. Q Wickham, Minute Clerk, and T. K. Carr and A. W. Broughton, as assistants, be and they are hereby employed to remain in Sacramento after final adjournment, and to properly paste together, arrange, and label the original minutes, which must be filed with the Secretary of State, and that for such services each is allowed the sum of $75, 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.

Read, and ordered printed in the Journal.

By Committee on Ways and Means:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $1,232.33 (twelve hundred and thirty-two and thirty-three one hundredths dollars) in favor of W. O. Banks, Sergeant-at-Arms of the Assembly, and the State Treasurer is hereby authorized and directed to pay the same, in payment of bills as per list attached:

United Typewriter and Supply Co.	$84 00
Buffalo Brewing Co	7 00
Buffalo Brewing Co	14 00
Capitol Telephone Co.	3 00
Capital Hotel	120 00
Golden Eagle Hotel	90 00
Mrs. C. McCall	10 75
Ida A Thomas	5 65
W. L Reed	81 00
Wyckoff, Seamans & Benedict	27 00
John R. Carr	8 90
Ahl & Daily	33 00
Tom Scott	80
Tom Scott	13 80
Tom Scott	3 00
Tom Scott	2 40
Tom Scott	6 85
Geo B. Stack	20 45
Geo. B. Stack	13 45
Geo B. Stack	26 50
Geo B. Stack	16 90
Locke & Lavenson	32 50
D Johnston & Co.	65 25
F R. Pulford	51 15

H. S. Crocker Co	$125 30
H. S. Crocker Co	36 70
Sunset Tel. & Tel. Co	7 00
John Breuner Co	291 83
Sunset Tel. & Tel. Co	31 10
W. O Banks (expressage)	3 00
Total	$1,232 33

Read and adopted.

By Mr. Anderson of Solano:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Charles F. Curry, Secretary of State, for the sum of $50, to pay for the engrossing of resolutions heretofore adopted by the Assembly, the same to be payable out of the Contingent Fund of the Assembly.

Read, and ordered printed in the Journal.

By Mr. John:

Resolved, That R. L. Dempsey, Journal Clerk of the Assembly, and Jeremiah Lucy, his assistant, be and they are hereby employed after the final adjournment of the thirty-fourth session of the Legislature of the State of California, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly, in comparing and delivering the corrected and approved Journals and the five bond copies of the same (as required by law) to the Chief Clerk of the Assembly, when completed, and that they each be allowed the sum of $50 from and after the final adjournment of the thirty-fourth session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is directed to pay the same.

Read. and ordered printed in the Journal.

By Mr. Henry:

WHEREAS, Hon. Arthur G. Fisk was elected and has presided as chairman of the Committee on Ways and Means of the Assembly of the California Legislature for the thirty-fourth session, and that during his incumbency as such chairman his conduct was that of a fearless, honorable, and courteous gentleman; therefore, be it

Resolved, That the heartfelt thanks and appreciation of the members of this Assembly and their constituents are hereby expressed to the Hon. Arthur G. Fisk; 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 the Hon. Arthur G. Fisk.

Read, and adopted by a rising vote.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 454—An Act making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor, of W. A. Boyd and H. W. Randal, for the arrest of Josef E. Blanther, for murder.

Read second time.

Senate Bill No. 412—An Act making an appropriation of money for the purchase of one hundred and sixty acres of additional land for use of the Napa State Hospital at Napa.

Read second time.

Senate Bill No. 404—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

Read second time.

Mr. Fisk moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 454, 412, and 404.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bills Nos. 454, 412, and 404 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 454—An Act making an appropriation to pay the reward offered by the Governor of the State of California, and the claim therefor, of W. A. Boyd and H. W. Randal, for the arrest of Josef E. Blanther, for murder.

Also: Senate Bill No. 404—An Act making an additional appropriation for the support and maintenance of the State Normal School at San José, Santa Clara County, California.

And do now report the same back, and recommend that they do pass.

PENDLETON, Chairman.

Report adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 412—An Act making an appropriation of money for the purchase of one hundred and sixty acres of additional land for use of the Napa State Hospital at Napa—and do now report the same back, and recommend that the same do not pass.

PENDLETON, Chairman.

Report rejected.

Senate Bills Nos. 454, 404, and 412 ordered to third reading.

Senate Bill No. 527—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions, and officers, and directing the disposition of the same," approved March 17, 1899, relating in the amendment to the contingent funds of the State prisons.

Read second time, and ordered to third reading.

Senate Bill No. 253—An Act to amend Section 2555 of the Civil Code of the State of California, relating to the mortgaging of personal property in the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 245—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court.

Read second time.

Mr. Ralston moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 245.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 245 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No 245—An Act making an appropriation for the payment of services rendered since March 31, 1897, by an additional counsel employed to assist the Attorney-General of the State in the defense of the suit of the Southern Pacific Company against the Board of Railroad Commissioners in the United States Circuit Court—and do now report the same back, and recommend that the same do not pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 463—An Act to amend Section 3819 of the Political Code of the State of California.

Read second time, and ordered to third reading.

Senate Bill No. 499—An Act to amend the Code of Civil Procedure by adding a new section to Part III, Title II thereof, relative to contesting elections, said section to be numbered 1128.

Read second time, and ordered to third reading.

Senate Bill No. 581—An Act to create a State Board of Accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of Certified Public Accountant; and to provide the grade of penalty for violation of the provisions hereof.

Read second time, and ordered to third reading.

Senate Bill No. 482—An Act to add a new section to the Political Code, to be numbered 3901, relating to the commencement of actions to determine the legality of assessments and proceedings in pursuance whereof real estate has been sold to the State for delinquent taxes.

Read second time, and ordered to third reading.

Senate Bill No. 562—An Act entitled "An Act to amend 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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Read second time.

The following amendment was submitted:

On page two, Section 15½, in line twenty-three of printed bill, after the word "*provided,*" strike out the words "that any owner of water, whose lands lie within the district shall have the preferred right to lease the canal and works, when such leasing is in contemplation," and in lieu thereof insert the following: "that when the directors of any irrigation district contemplate the leasing of the canals or works of such district, they shall give notice of such contemplation by publishing the same in some newspaper published in the county in which such irrigation district lies, at least three weeks prior to the making of any lease, and such lease shall be made to the highest bidder. But such board shall have the right to reject any and all bids. Such lease shall in no way interfere with any rights that may have been established by law at the time such lease is made."

Amendment adopted.

Senate Bill No. 562 ordered to print and third reading.

Senate Bill No. 572—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Read second time.

Senate Bill No. 467—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California.

Read second time.

Mr. Treadwell moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bills Nos. 572 and 467.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bills Nos. 572 and 467 were considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 572—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Also: Senate Bill No 467—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California.

And do now report the same back, and recommend that same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 625—An Act amending Section 2237 of the Political Code, relating to the name and purpose of the Deaf, Dumb, and Blind Asylum.

Read second time, and ordered to third reading.

Senate Bill No. 285—An Act to amend Sections 4, 5, and 8 of an Act approved March 29, 1897, entitled "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.'"

Mr. Foster moved that a select committee of one be appointed to amend Senate Bill No. 285 as follows:

Amend by inserting on page one, title, after figure "(8)" the words and figures "and twelve (12)"

Also: Amend on page seven, Section 4, line one hundred and eighty-eight, by inserting the following, and renumber sections following Section 12, as amended, so as to read as follows:

"SEC. 12. This Act shall be binding (1) upon those public school teachers, and such officers of the school department, possessing teachers' certificates as are mentioned in subdivision four of section twelve as amended in section five of this Act who, after the passage of this Act, shall sign and deliver to the Public School Teachers' Retirement Fund Commissioners, and to the secretary of the Board of Education of the incorporated city or town, or consolidated city and county, or to the clerk of the Board of Trustees of the school district in which they are employed, a notice in substantially the following form:

"'————, ——, 19—.
(residence) (date)

"'To the Public School Teachers' Annuity and Retirement Fund Commissioners of —— county (or city and county):

"'You are hereby notified that I agree to be bound by, and desire to avail myself of, the provisions of the Act of the Legislature of the State of California, approved March twenty-sixth, eighteen hundred and ninety-five, 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' as amended by an Act approved March twenty-nine, eighteen hundred and ninety-seven, entitled 'An Act to amend an Act approved March twenty-six, eighteen hundred and ninety-five, 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, as amended by an Act approved ————, nineteen hundred and one, entitled 'An Act to amend sections four (4), five (5), eight (8), ten (10), and twelve (12) of an Act approved March twenty-nine, eighteen hundred and ninety-seven, entitled 'An Act to amend an Act approved March twenty-six, eighteen

hundred and ninety-five, 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.'

"'____ ____

"'Public school teacher.'

And provided, that at least thirty teachers within the county, or consolidated city and county, have filed the notice hereinbefore set forth; *provided further*, that in all counties, or in consolidated cities and counties, where 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; *provided further*, that no teacher shall be entitled to any benefits under this Act who is employed in the public schools of this State at the date of the passage of this Act and who is eligible to become a contributor to said fund and who is able to become a contributor to said fund and who fails to give such notice within ninety days after the passage of this Act. (2) In consolidated cities and counties it shall be binding upon all teachers elected or appointed to teach in the public schools of such consolidated cities and counties after the passage of this Act. (3) Teachers receiving annuities under the provisions of the Act of which this Act is amendatory shall be subject to the provisions of this Act. (4) Any teacher who shall leave or who at the passage of this Act has left his position or employment as teacher in the public schools of this State to accept the office of superintendent of a city or county or city and county of this State or the office of deputy of any one of such superintendents or to accept a membership in a Board of Education of a city or county, and who shall continue during the occupancy of such office to hold a valid certificate or diploma to teach in the public schools of this State, shall remain and is within the meaning, intent, and purpose of this Act a teacher of the county or city and county wherein he holds such office, and the services he has rendered or may render in any one or more of such offices shall be held and considered and for the purposes of this Act are equivalent to the same length of time of actual teaching in the public schools of this State, and such a teacher, who has heretofore or may hereafter assume the burdens of this Act, may be retired from any one of such offices in the same manner as if he were actually teaching, and shall be so retired in the same class in which he would have been retired under this Act and the Act of which this Act is amendatory if he had continued in the same position or employment which he last left to enter into such offices. No teacher occupying one of the offices mentioned in this subdivision shall be entitled to participate in the benefits of this Act, and the Act of which this Act is amendatory, unless during all the time he occupies such office or offices he pays into the Annuity and Retirement Fund of the county where he first assumed the burdens of this Act and the Act of which this Act is amendatory the sum of one dollar per month.

"SEC. 5 All Acts or parts of Acts 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 its passage."

Motion 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 Anderson of Santa Clara, Atherton, Barnes, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Cowan, Feliz, Fisk, Foster, Gulfoyle, Halev, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, James, Johnson, Kincaid, Knight, Knowland, Mattos, McLoughlin, Melick, Merritt, Milice, Ralston, Ray, Reeber, Roberts, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—48.

NOES—Messrs. Dunlap, Laird, and Levinson—3.

Title read and approved.

REQUEST TO TAKE UP BILL OUT OF ORDER.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: This day I asked unanimous privilege of calling up for action in the Assembly, Assembly Bill No. 406—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1972 of the Civil Code of the State of California, in relation to the obligations of employers—but by an objection, under the rules, my privilege was denied.

J. J. HOURIGAN.

Request granted.

Assembly Bill No. 406—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1972 of the Civil Code of the State of California, in relation to the obligations of employers.

Read second time.

The following amendments were submitted:

AMENDMENT No. 1.

Amend by striking out of title, printed bill, all the words after the words "An Act," and inserting the following: "to add two new sections to the Civil Code of the State of California, to be known as Sections 1972 and 1973 of the Civil Code of the State of California, in relation to the obligations of employers."

Amendment lost.

AMENDMENT No. 2.

Amend by striking out all of line one, on page one of printed bill, and inserting in lieu thereof the following:

"SECTION 1 A new section is hereby added to the Civil Code of the State of California, to be numbered as Section 1972."

Amendment lost.

AMENDMENT No. 3.

Amend by inserting after the word "department," in line sixteen of printed bill, the following:

"SEC. 2. A new section is hereby added to the Civil Code of the State of California, to be numbered as Section 1973:

"Section 1973. No contract made between the employer and employé or employés, based upon the contingency of the injury or death of the employé, limiting the liability of the employer under this Act, or fixing damages to be recovered, shall be valid and binding."

Amendment lost.

AMENDMENT No. 4.

Amend by striking out the word and figure "Sec. 2" of printed bill, and inserting in lieu thereof the word and figure "Sec. 3"

Amendment lost.

Mr. Guilfoyle moved that Senate messages be taken up.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Assembly Bill No. 583—An Act to add a new section to the Political Code to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties, and cities and counties, in the State.

Also: Passed Senate Bill No 635—An Act to amend Section 2 of an Act entitled "An Act to repeal Chapter II of Title VI, Part III of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II, and to enact a new Chapter II, of Title VI of Part III, of said code, and substitute the same in place of said repealed Chapter II in said code, relating to roads and highways," approved February 28, 1883, relating to the issuance and refunding of a bonded indebtedness of the county for the construction, maintenance, and repair of roads, and the levying of taxes to pay the interest and redemption thereof.

F. J BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 583 ordered to enrollment.

Senate Bill No. 635—An Act to amend Section 2 of an Act entitled 'An Act to repeal Chapter II of Title VI, Part III of an Act of the Legislature of the State of California entitled 'An Act to establish a Political Code,' approved March 12, 1872, and each and every section of said Chapter II, and to enact a new Chapter II of Title VI of Part III of said code, and substitute the same in place of said repealed Chapter II in said code, relating to roads and highways," approved February 28, 1883, relating to the issuance and refunding of a bonded indebtedness of the county for the construction, maintenance, and repair of roads, and the levying of taxes to pay the interest and redemption thereof.

Read first time, and ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Senate free conference committee on Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—which was as follows:

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR PRESIDENT: Your committee of free conference concerning Senate Bill No. 447—An Act to divide the State into legislative districts, and to provide for the election of Senators and Assemblymen therein—report that we have met a like committee of the Assembly, consisting of Assemblymen Johnson, Gans, and Savage, and we report that the free conference committee agreed upon and recommend that the Senate concur in the Assembly amendments thereto, with the exception of the following:

"1. That portion of the Assembly amendment to Section 2 relating to the Tenth Assembly District, being subdivision ten.

"2 That portion of the Assembly amendment to Section 2 relating to the Eleventh Assembly District, being subdivision eleven.

"3. That portion of the Assembly amendment to Section 2 relating to the Fifty-eighth Assembly District, being subdivision fifty-eight.

"4 That portion of the Assembly amendment to Section 2 relating to the Fifty-ninth Assembly District, being subdivision fifty-nine."

Your committee further recommend that the following amendments be made to Section 2:

1. That subdivision ten of Section 2 be amended to read as follows:

"10. The counties of Placer and El Dorado shall constitute the Tenth Assembly District"

2. That subdivision eleven of Section 2 be amended to read as follows:

"11. The counties of Amador, Calaveras, Alpine, and Mono shall constitute the Eleventh Assembly District"

3. That subdivision fifty-eight of Section 2 be amended to read as follows:

"58 The County of San Benito shall constitute the Fifty-eighth Assembly District."

4 That subdivision fifty-nine of Section 2 be amended to read as follows:

"59 The County of Monterey shall constitute the Fifty-ninth Assembly District."

Respectfully submitted.

CUTTER,
LEAVITT,
ROWELL,
Free Conference Committee.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Bill No. 110—An Act to enforce the educational rights of children, and providing penalties for violation of the Act

Senate Bill No. 155—An Act making an appropriation to pay the deficiency in the appropriation for postage, expressage, and contingent expenses of the Atorney-General for the fiftieth fiscal year.

Senate Bill No 331—An Act to add two new sections to the Political Code, to be numbered 3805*a*, 3805*b*, to re-enact Section 3859 of said code, to amend Sections 3629, 3632, 3638, 3649, 3747, 3785, 3790, 3804, 3805, 3817, 3823, 3825, 3881, and 3884 of said code, and to repeal Section 3640 of said code, all relating to the revenue and taxes of the State, and fixing the time within which claims for refunds of taxes must be made.

Senate Bill No. 383—An Act making an appropriation of $6,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton for the purchasing of the necessary machinery and equipment and the construction of an ice-manufacturing plant and refrigerating-room for the State Hospital at the City of Stockton, County of San Joaquin, State of California

Senate Bill No. 215—An Act to amend Section 574 of the Civil Code, relating to savings and loan corporations.

F J BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 14, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No 77—An Act to amend Section 1136 of the Penal Code

Also: Assembly Bill No. 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Also: Amended, and passed as amended, Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Also: Assembly Bill No. 880—An Act to add a new section to the Penal Code, to be known and numbered Section 556, to prohibit the falsely marking, branding, or labeling

boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

And respectfully ask the concurrence of your honorable body in said Senate amendments.

Also: Adopted Assembly Joint Resolution No. 11—Relative to thanking Mrs. Phœbe A. Hearst.

Also: Adopted Senate Concurrent Resolution No. 23—Relative to the completion of the "Index to the Laws" from 1893 up to and including laws of the present session of the Legislature; also, relative to the compilation of all laws repealed or invalidated, indicating those laws now in force, and directing a report to be made to the next session of the Legislature.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 77 and 850 ordered to enrollment.

Assembly Joint Resolution No. 11 ordered to enrollment.

Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

The question being, "Shall the Assembly concur in the following Senate amendments:

On page one, line two, insert the figures "1665" before the word "instruction."

Also: Amend by inserting the word and figure "Section 1," before the word "section," in line one.

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Fisk, Foster, Greer, Haley, Hanen, Irish, Irving, James, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Melick, Milice, Ralston, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Walker, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 72 ordered to enrollment.

Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by inserting after the word "Act," in the title of the bill, the following: "to add a new section to the Penal Code, to be known and numbered Section 556."

Also: In Section 1, line one, strike out the word and figure "Section 1," and insert the following:

"SECTION 1. A new section is hereby added to the Penal Code, to be known and numbered section five hundred and fifty-six, and to read as follows: Section 556."

Also: In Section 2, line one, strike out the word and figure "Sec. 2."

Also: In Section 2, line one, strike out the word "Act," and insert in lieu thereof the word "section."

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Broughton, Carter, Clarke, Collins, Cowan, Cromwell, Dunlap, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Merritt, Ralston, Roberts, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 880 ordered to enrollment.

SENATE CONCURRENT RESOLUTION No. 23.

Relative to the completion of the "Index to the Laws" from 1893 up to and including laws of the present session of the Legislature; also, relative to the compilation of all laws repealed or invalidated, indicating those laws now in force, and directing a report to be made to the next session of the Legislature.

Resolved by the Senate of the State of California, the Assembly concurring, That the Commissioners for the Revision and Reform of the Law examine, designate, and report to the next session of the Legislature a completion of the "Index to the Laws" from eighteen hundred and ninety-three, up to and including laws of the present session of the Legislature, and also designate and report separately all laws repealed or invalidated from any reason, and so as to indicate as correctly as possible those laws remaining in force.

Read and adopted.

TIME OF RECESS EXTENDED.

At four o'clock and twenty-five minutes P. M., the time of recess was extended until five o'clock P. M.

MESSAGES FROM THE SENATE—(RESUMED).

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State.

Also: Passed Assembly Bill No. 706—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793, of the Political Code of the State of California, relating to public schools.

Also. Amended, and passed as amended, Assembly Bill No. 546—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 parents to the counties from which their children are committed," approved March 26, 1895.

Also: Passed Assembly Bill No. 681—An Act to promote the horticultural interests of the State by providing County Boards of Horticultural Commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing county boards of horticulture," approved March 31, 1897.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 706 and 681 ordered to enrollment.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State, and to add new sections to said Act, to be numbered, respectively, 275*a*, 275*b*, 275*c*, and 275*d*, relating to the same subject.

The question being, "Shall the Assembly concur in the following Senate amendments?"

On page four, Section 4, line three, amend to read as follows:

"SEC. 27. The examinations herein provided for shall be based upon the following books and subjects: Pomeroy's Introduction to Municipal Law, Walker's American Law; Blackstone's Commentaries, Kent's Commentaries; Parsons on Contracts; Greenleaf's Evidence (volume one), Sedgwick's Elements of Damages; Gould's Pleadings; Bliss on Code Pleading, Lubé's Equity Pleading; Fetter on Equity; Tiedeman on Real Property, Clark on Corporations, Cooley's Principles of Constitutional Law, Constitution of the United States; Constitution of the State of California; Code of Civil Procedure; Civil Code; Penal Code; Sandar's Justinian, by Hammond."

Also. On page five, Section 4, line twenty-six, strike out the word "strict," and insert in lieu thereof the words "fair and thorough."

Also: Amend by striking out the words "who has been a bona fide resident of this State for one year next preceding the day of application or motion for admission, as provided in this chapter," in lines three to six, Section 1, first page, printed bill.

Also: Amend by striking out the words "one of whom shall be the dean of the Hastings College of Law, and the other two," in lines four and five, Section 3, third page, printed bill, and inserting in lieu thereof the word "who."

Also: Amend by inserting after the word "State," in line eight, Section 3, third page, printed bill, the words "one of whom shall be a resident of the San Francisco District, one"

Also: Amend by striking out the words "the other a resident," in line nine, Section 3, third page, printed bill, and inserting in lieu thereof the word "one"

Also: Amend by striking out the words "and both of whom," in line ten, Section 3, third page, printed bill, and inserting in lieu thereof the word "who."

Also: Amend by striking out the words from and after the word "court," in line twelve, third page, printed bill, to and including line sixteen, page four, printed bill.

Also: Amend by striking out the word "those," in line one, Section 8, seventh page, printed bill, and inserting in lieu thereof the word "the"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Broughton, Brown of San Mateo, Carter, Chandler, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hubbard, Irish, James, Johnson, Knight, Levinson, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Ralston, Roberts, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Wright, and Mr. Speaker—45.

NOES—Mr. Savage—1.

Assembly Bill No. 111 ordered to enrollment.

Assembly Bill No. 546—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 for 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 parents to the counties from which their children are committed," approved March 26, 1895.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out all of Sections 1 and 2 of the printed bill after the enacting clause, on page one, and inserting immediately after the enacting clause the following:

"SECTION 1 Three new sections are hereby added to 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 parents to the counties from which their children are committed,' approved March 26, 1895, to be known as sections seven, eight, and nine of said Act, to read as follows."

Also: Amend by striking out of Section 3, line one, page two, the word and figure "Sec. 3," and inserting "Sec 7."

Also: Amend by striking out of Section 4, line one, page two the word and figure "Sec. 4," and inserting "Sec 8."

Also: Amend by striking out of Section 5, line one, page two, the word and figure "Sec. 5," and inserting "Sec 9"

Also: Amend by striking out all of Section 6 of bill, and inserting the following:

"SEC 2. Section five of said Act is hereby amended to read as follows:

"Section 5. The particular provisions of all Acts and parts of Acts that are in conflict with this Act are hereby repealed."

Also: Amend Section 7, at bottom of page two, by striking out the word and figure "Sec. 7," and inserting "Sec. 3"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Knowland, Laird, Levinson, Mattos, McNeil, McWade, Melick, Milice, Ralston, Rutherford, Savage Sheridan, Stewart of San Diego, Stewart of Amador, Walker, and Mr Speaker—45

NOES—None

Assembly Bill No. 546 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 766—An Act to amend Section 1665 and Section 1666 of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Also: Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing and modifying and reapportionment and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments thereunder and remonstrances against such assessments and reassessments, and against the improvements under said Act

Also: Amended, and passed as amended, Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor

Also: Passed Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Also: Assembly Bill No 363—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 Boards of Trustees of cities of the fifth class.

Also: Refused adoption to Assembly Constitutional Amendment No. 23—Relative to the duties of the State Board of Education.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 766, 277, 67, and 363 ordered to enrollment.

Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out the word "immediately," in line one, Section 4, first page, printed bill, and inserting in lieu thereof the following: "on and after the first day of January, nineteen hundred and two"

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Foster, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Hourigan, Hubbard, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, McWade, Melick, Merritt, Milice, Ralston, Ray, Rutherford, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—49.

NOES—None.

Assembly Bill No. 207 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as cases of urgency) Senate Bill No. 662—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein

Also Senate Bill No. 663—An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644.

F. J. BRANDON, Secretary of Senate
By F C. MICHAELIS, Assistant Secretary.

Senate Bill No 662—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein.

Read first time, and ordered on Senate Special File.

Senate Bill No. 663—An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644.

Read first time, and ordered on Senate Special File.

MOTION.

Mr. Johnson moved that messages from the Governor be taken up.
So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 15, 1901.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 807, entitled "An Act to provide one additional Judge of the Superior Court of the County of Alameda"; and No. 433, entitled "An Act to amend Section 1670 of the Political Code of the State of California, relating to high schools"; and No. 485, entitled "An Act to amend Section 305 of the Civil Code, relating to corporations"; and No. 484, entitled "An Act to amend Section 290 of the Civil Code, relative to articles of incorporation."

HENRY T GAGE,
Governor of the State of California

Ordered printed in the Journal.
Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 15, 1901

To the Assembly of the State of California

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 769, entitled "An Act to amend Section 1747 of the Code of Civil Procedure of the State of California, relating to guardians of minors."

It is designed by this bill to amend Section 1747 of the Code of Civil Procedure, relating to the control by the court over the minor, pending the hearing and determination of guardianship proceedings. This section has been revised by the Code Commission, and as revised the section appears in Committee Substitute for Senate Bill No. 138, which has already passed your honorable body, and has received my approval I perceive no necessity for again amending this section by the addition of the matter proposed in this bill.

HENRY T. GAGE,
Governor of the State of California

Ordered printed in the Journal.

RESOLUTION—(OUT OF ORDER).

By Mr. Henry:

Resolved, That the sum of $25 be and the same is hereby appropriated from the Contingent Fund of the Assembly, payable to J. J. Kocher, for engrossing copy of Assembly resolution of thanks to Arthur G. Fisk, chairman of Committee on Ways and Means. The Controller is hereby authorized and directed to draw his warrant in favor of J J. Kocher for the above amount and the State Treasurer is hereby authorized and directed to pay same.

Resolution adopted.

SECOND READING OF SENATE BILL.

Senate Bill No. 485—An Act to amend Section 819 of an Act entitled "An Act to establish a Penal Code," approved February 14, 1872, relating to the service of a warrant of arrest.
Read second time, and ordered to third reading.

SPECIAL ORDER RESET.

Mr. Chandler moved that Senate Bill No. 562 (92 on file) be made special order for Saturday, March 16, 1901.
So ordered.

THIRD READING OF SENATE BILL.

Senate Bill No. 461—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Sec-

tion 2460 of said Political Code, relating to pilots, Pilot Commissioners, and pilotage.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Bliss, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Cromwell, Dunlap, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McWade, Melick, Merritt, Milice, Ray, Rutherford, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

SPECIAL ORDER.

Senate Bill No. 583—An Act to amend Section 1116 of the Political Code, relative to the duties of the clerk concerning elections.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Bliss, Brady, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kincaid, Knight, Knowland, Laird, Mattos, McNeil, McWade, Melick, Milice, Ray, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Wright, and Mr. Speaker—48.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly engrossed:

Assembly Bill No. 406—An Act to add a new section to the Civil Code of the State of California, to be known as Section 1972 of the Civil Code of the State of California, in relation to the obligation of employers.

Assembly Bill No. 557—An Act concerning the erection of poles with wires thereon, and laying conduits, cables, and wires in the streets of cities and towns for telephonic and telephone-telegraphic services to the inhabitants of such cities or towns, and the use of such streets for such services by individuals and domestic corporations

Assembly Bill No. 569—An Act to amend Sections 319, 320, 321, 322, 323, 324, 325, and 326 of the Penal Code of the State of California.

Assembly Bill No. 665—An Act to amend the Political Code by adding a new section thereto, to be numbered 3658*a*, relating to official maps, the making and adoption thereof, and the description of property as delineated thereon for the purposes of assessment and transfer.

Assembly Bill No. 666—An Act to amend an Act entitled "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 purposes 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.

G. H. ANDERSON, Acting Chairman

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 229—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in this State, for the improvement of 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 Boards 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.

Mr. Brown of San Mateo moved that Senate Bill No. 229 be refused third reading.

RECESS.

At five o'clock P. M., the Speaker declared a recess until seven o'clock and thirty minutes P. M.

REASSEMBLED.

At seven o'clock and thirty minutes P. M., the Assembly reconvened. Speaker Pendleton in the chair.

Quorum present.

The question being on the adoption of the motion of Mr. Brown of San Mateo, that Senate Bill No. 229 be refused third reading.

The roll was called, and motion lost by the following vote:

AYES—Messrs. Atherton, Barnes, Berry, Brown of San Mateo, Cowan, Duryea, Greer, Irish, Kincaid, Laird, McNeil, Stewart of San Diego, and Stewart of Amador—13

NOES—Messrs Anderson of Solano, Anderson of Santa Clara, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Chiles, Clarke, Cromwell, Evatt, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, James, Knight, Levinson Merritt, Ralston, Reeber, Sutro, Walker, Webber, Williams, Wright, and Mr Speaker—33,

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 229—An Act to amend Sections 5 and 10 of an Act entitled "An Act to provide for the formation of protection districts in the various counties in this State, for the improvement of 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 Boards 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.

Mr. Brown of San Mateo moved that a select committee of one be appointed to amend Senate Bill No. 229 as follows:

Amend Section 1 by striking out all of said section after the word "formed," in line seventeen, to the end of said section.

Motion lost.

Also:

Amend Section 2, line thirteen, by striking out the words "to the county and."

Also: Amend Section 2 by striking out, in line seventeen, the words "at least one half of such assessment," and inserting in lieu thereof the following: "such portion of said assessment, not exceeding one third, as in their judgment they may determine"

Roll call was demanded by Messrs. Brown of San Mateo, Wright, and Anderson of Solano.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Anderson of Solano moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Collins, Cowan, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan Irish, Irving, James, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—63.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Sutro moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Wright moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irish, Irving, James, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of Amador, Sutro, Walker, Webber, Williams, Wright, and Mr. Speaker—63.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. James moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll of absentees was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. Wright moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, James, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—65

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Anderson of Solano moved that further proceedings under call of the House be dispensed with.

So ordered.

The roll was called, and Senate Bill No. 229 refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bauer, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chiles, Clarke, Evatt,

Fisk, Gans, Guilfoyle, Haley, Hanen, Henry, Higby, Hourigan, Irving, Kelley, Knight, Levinson, McLoughlin, McWade, Merritt, Myers, Ralston, Reeber, Roberts, Savage, Schillig, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—40.

NOES—Messrs. Atherton, Barnes, Berry, Brown of San Mateo, Chandler, Cowan, Dunlap, Duryea, Felix, Foster, Greer, Hasson, Hubbard, Irish, James, Kincaid, Knowland, Laird, McNeil, Melick, Milice, Radcliff, Rutherford, Sheridan, Simpson, Stewart of Amador, and Williams—27.

MOTION.

Mr. McWade moved that Senate messages be taken up.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Committee Substitute for Senate Bill No. 346—An Act to amend Section 1727 of the Code of Civil Procedure of the State of California, relating to public administrators.

Also: Senate Bill No. 597—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor.

Also: Amended, and passed as amended, Assembly Bill No. 393—An Act to amend Section 612 of an Act entitled "An Act to establish a Civil Code," approved March 21, 1872.

Also: Adopted Assembly Concurrent Resolution No. 8—Relative to adjournment

Also: Concurred in Assembly amendments to Senate Bill No. 483—An Act to amend Section 3628 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to assessments, how and by whom made.

Also: Senate Bill No. 554—An Act to amend the Penal Code of the State of California by adding a new section thereto, to be numbered and known as Section 680.

F. J BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Assembly Concurrent Resolution No. 8 ordered to enrollment.

Committee Substitute for Senate Bill No. 346—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 ordered on Senate Special File.

Senate Bill No. 597—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor.

Read first time, and ordered on Senate Special File.

Assembly Bill No. 393—An Act to amend Section 2524 of the Political Code of the State of California.

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by striking out of the title the figures "31," and inserting in lieu thereof the figures "21."

Also: Amend by inserting after the enacting clause the word and figure "Section 1."

Also. Amend by striking out the word "Section" before the number "612," in line three, Section 1.

Also: Amend by striking out the word "Section" before the number "616," page one, printed bill

The roll was called, and the Assembly concurred in Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Dunlap, Fisk, Foster, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, Johnson, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McLoughlin, McNeil, McWade, Myers, Radcliff, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 393 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in certain Assembly amendments, and refused to concur in other Assembly amendments to Senate Bill No 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto—and respectfully ask your honorable body to suspend the rules and appoint a committee of free conference to meet a like committee from the Senate, composed of Senators Lukens, Smith of Kern, and Tyrrell of San Francisco, to consider said Assembly amendments.

F. J. BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary.

Mr. McWade moved that the rules be suspended and a committee of free conference appointed.

So ordered.

ASSEMBLY SPECIAL FILE.

Assembly Constitutional Amendment No. 30—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.

The roll was called, and Assembly Constitutional Amendment No. 30 refused adoption by the following vote:

AYES—Messrs Barnes, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Butler, Carter. Chandler, Chiles, Clarke, Cowan, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Greer, Haley, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McNeil, Melick, Merritt, Milice, Myers, Radcliff, Ray, Roberts, Savage, Schlesinger, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—51.

NOES—Messrs. Anderson of Solano, Bliss, Hanen, Irish, and Wright—5.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

ON ROADS AND HIGHWAYS.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: Your Committee on Roads and Highways, to whom was referred Senate Bill No. 548—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads

Also: Senate Bill No. 369—An Act to provide for the location, construction, and maintenance of a State highway, commencing at or near the City of San Jacinto, in Riverside County, and running thence to connection with the highway system of San Diego County, by way of the San Jacinto, Cahuilla, and Temecula valleys, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

MERRITT, Chairman.

RESOLUTION—(CASE OF URGENCY).

By Mr. Dunlap:

Resolved, That Senate Bills Nos. 476, 272, 274, 386, 454, 412, 404, 477, 527, 253, 245, 463, 499, 581, 482, 562, 572, 467, 662, 663, 625, 597, 372, 538, 369, and 548 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 be read the second and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Dunlap, Duryea, Evatt, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Merritt, Milice, Myers, Radcliff, Ray, Roberts, Rutherford, Savage, Schlesinger, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—56.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Mr. Dunlap:

WHEREAS, There has been referred to the Committee on Judiciary of the Assembly for consideration over three hundred bills, all of which have been disposed of with great skill, care, and ability on the part of the chairman, and

WHEREAS, The Hon. Grove L. Johnson, chairman of said committee, has by his very efficient services and uniform courtesy merited the thanks of this Assembly; therefore, be it

Resolved, That this Assembly extend its thanks to the Hon. Grove L. Johnson for his services and courtesy as chairman of the Committee on Judiciary of the Assembly, thirty-fourth session of the Legislature;

Resolved, That the resolution be printed in the Journal, and that the Clerk be and he is hereby authorized to have the same engrossed at an expense not to exceed twenty-five dollars, and present the same to the Hon. Grove L. Johnson, and the State Controller is hereby authorized to draw his warrant in favor of Clio Lloyd for said sum, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolution adopted.

URGENCY BILLS.

Senate Bill No. 662—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein.

Read second time, and ordered to third reading.

Senate Bill No. 662—An Act authorizing suits against the State on claims or demands arising under an Act of the Legislature entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891, and regulating the procedure therein.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Cowan, Dunlap, Duryea, Evatt, Foster, Gans, Haley, Henry, Higby, Irish, Irving, James, Johnson, Kelley, Kincaid, Knight, Knowland, Mattos, McLoughlin, McNeil, Melick, Merritt, Myers, Radcliff, Ray, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Mr. Speaker—44.

NOES—Messrs. Hanen, Hasson, and Schlesinger—3.

Title read and approved.

Senate Bill No. 548—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads.

Read second time, and ordered to third reading.

Senate Bill No. 548—An Act to amend Section 2643 of the Political Code, relating to duties of Supervisors respecting roads.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bennink, Bliss, Broughton, Brown, of San Francisco, Brown of San Mateo, Chiles, Cowan, Dunlap, Evatt, Foster, Franklin, Gans, Haley, Hanen, Hasson, Henry, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McNeil, Melick, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, Wright and Mr. Speaker—42.

NOES—None

Title read and approved.

RESOLUTION—(OUT OF ORDER).

By Mr. Henry:

Resolved, That the Controller be and he is hereby authorized to draw his warrant for the sum of $150, and the Treasurer is hereby instructed to pay the same from the Contingent Fund of the Assembly, in favor of Henry Thompson, for extra services as clerk to the Committee on Claims from January 8 to March 16, 1901.

Referred to Committee on Ways and Means.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 499—An Act to amend the Code of Civil Procedure by adding a new section to Part III, Title II thereof, relative to contesting elections, said section to be numbered 1128.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bliss, Brady, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Clarke, Cowan, Dunlap, Feliz, Foster, Gans, Hanen, Henry, Irish, James, Johnson, Kincaid, Knight, Knowland, Levinson, Melick, Merritt, Milice, Myers, Radcliff, Ralston, Ray, Rutherford, Sheridan, Simpson, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—41.

NOES—None.

Title read and approved.

Senate Bill No. 538—An Act to provide for the payment of judgments against counties, cities, cities and counties, and towns.

Read second time, and ordered to third reading.

Senate Bill No. 538—An Act to provide for the payment of judgments against counties, cities, cities and counties, and towns.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Barnes, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Cowan, Dunlap, Feliz, Fisk, Foster, Gans, Haley, Hanen, Hasson, Henry, Higby, Irish, Johnson, Kincaid, Knight, Knowland, Levinson, McLoughlin, Melick, Myers, Radcliff, Ralston, Ray, Roberts, Rutherford, Sheridan, Stewart of Amador, Sutro, Treadwell, Walker, and Mr. Speaker—42.

NOES—None.

Title read and approved.

At nine o'clock and forty minutes P. M., the Speaker called Mr. Fisk to the chair.

Senate Bill No. 602—An Act to add a new section to the Political Code, to be numbered 751½, authorizing the Clerk of the Supreme Court to employ a stenographer, and fixing the compensation of such stenographer.

Read third time.

The roll was called.

CALL OF THE HOUSE.

Pending announcement of the vote, Mr. McLoughlin moved a call of the House.

So ordered.

The roll was called, and the following answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Haley, Hanen, Hasson, Henry, Higby, Hubbard, Irish, James, Johnson, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Radcliff, Ray, Roberts, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Walker, Wright, and Mr. Speaker—52.

FURTHER PROCEEDINGS UNDER CALL OF THE HOUSE DISPENSED WITH.

Mr. Melick moved that further proceedings under call of the House be dispensed with.

So ordered.

The absentees were called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Berry, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Clarke,

Evatt, Feliz, Fisk, Haley, Hanen, Henry, Higby, Hubbard, Irish, James, McNeil, Merritt, Myers, Radcliff, Roberts, Savage, Simpson, Stewart of Amador, Sutro, Walker, Wright, and Mr. Speaker—34.

NOES—Messrs. Bennink, Chandler, Chiles, Dunlap, Duryea, Foster, Hasson, Irving, Kincaid, Knowland, Levinson, McLoughlin, Melick, Milice, Schilig, Sheridan, Stewart of San Diego, and Williams—18.

At nine o'clock and fifty-five minutes P. M., the Speaker resumed the chair.

TIME OF RECESS EXTENDED.

At nine o'clock and fifty-eight minutes P. M., Mr. James moved that the hour of recess be extended until twelve o'clock.

Motion carried.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 478—An Act to provide for the marking or branding of boxes or barrels containing citrus fruit for shipment, and fixing a penalty for the violation thereof, and for the appointment of an inspector under its provisions.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano. Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Chandler, Chiles, Cowan, Dunlap, Duryea, Foster, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Kincaid, Knight, Levinson, McLoughlin, McNeil, Melick, Merritt, Milice, Miller, Myers, Ray, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr Speaker—43

NOES—None.

Title read and approved.

Senate Bill No. 451—An Act for the payment of the fees due to trial jurors who have served as such in the Superior Court of the City and County of San Francisco under the Act of 1895.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chiles, Cowan, Feliz, Fisk, Foster, Guilfoyle, Hanen, Hasson, Higby, Irish, James, Kincaid, Knight, Levinson, Mattos, McLoughlin, McNeil, Melick, Milice, Myers, Radcliff, Ray, Roberts, Rutherford, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Williams, Wright, and Mr Speaker—43.

NOES—None.

Title read and approved.

Senate Bill No. 482—An Act to add a new section to the Political Code, to be numbered 3901, relating to the commencement of actions to determine the legality of assessments and proceedings in pursuance whereof real estate has been sold to the State for delinquent taxes.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Bliss, Broughton, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Cowan, Dunlap, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, James, Kincaid, Knight, Laird, Levinson, Mattos, McLoughlin, Melick, Milice, Myers, Ralston, Ray, Roberts, Rutherford, Schillig, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Bennink, Berry, Brown of San Mateo, Carter, Chandler, Chiles, Clarke, Collins, Dunlap, Duryea, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, James, Johnson, Kincaid, Knight, Mattos, McNeil, Melick, Milice, Miller, Myers, Ralston, Ray, Rutherford, Savage, Schillig, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 513—An Act to amend Section 1624 of the Civil Code, prescribing what contracts must be written.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Broughton, Carter, Clarke, Cowan, Duryea, Gans, Greer, Hasson, Higby, Irish, Merritt, Milice, Miller, Roberts, Rutherford, Savage, and Schillig—19.

NOES—Messrs. Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Dunlap, Feliz, Fisk, Hanen, Hubbard, Johnson, Kincaid, Knight, Mattos, McNeil, Melick, Myers, Ralston, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, and Walker—24.

Title read and approved.

Senate Bill No. 477—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson.

Read second time, and ordered to third reading.

Senate Bill No. 477—An Act to amend Section 455 of the Penal Code of the State of California, relating to the punishment of arson.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Clarke, Cowan, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knowland, Melick, Merritt, Milice, Miller, Ralston, Savage, Sheridan, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr Speaker—44.

NOES—Messrs. Carter, Chiles, Cromwell, Duryea, Myers, and Ray—6.

Title read and approved.

REPORT OF COMMITTEE OF FREE CONFERENCE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: Your committee of free conference concerning Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto—report that we have met a like committee of the Senate, consisting of Senators Lukens, Smith of Kern, and Tyrrell of San Francisco, and that the free conference committee agreed upon and recommend the adoption of the accompanying amendments to Senate Bill No. 650.

McWADE,
Chairman of Committee of Free Conference of Assembly.

Amend Section 30, line forty-seven, by correcting the spelling of last word, "population."

Also: Add to subdivision one, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also: Add to subdivision three, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also: Add to subdivision fifteen, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also: Amend Section 26, page eighty, by inserting after the words and figures "Sec. 26," the following: "Section one hundred and seventy-nine (179) of an Act entitled 'An

Act to establish a uniform system of county and township governments,' approved April 1, 1897, is hereby amended to read as follows:

"Section 179 In counties of the twenty-second class, the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, to wit."

Also: Amend by striking out of Section 34, lines one hundred and forty, one hundred and forty-one, and one hundred and forty-two, page one hundred and two, the words: "This section shall take effect and be in force from and after January first, nineteen hundred and three."

Also: Amend by striking out of Section 32, page ninety-six, the words and figures following, in subdivision fifteen: "Each Supervisor, five dollars per day when the board is in session, not exceeding five hundred dollars per annum, and ten cents per mile for traveling to and from his residence to the county seat at each session, and unless otherwise provided by law, when serving as Road Commissioner, three dollars per day. But he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner," and inserting the following:

"15. Each Supervisor, six hundred dollars per annum, and twenty cents per mile for traveling from his residence to and from the county seat; *provided*, such mileage shall not be allowed more than once a month; and for his services as Road Commissioner he shall receive twenty cents per mile, one way, for all distances actually and necessarily traveled by him in the performance of his duties; *provided*, he shall not in any one year receive more than three hundred dollars as such Road Commissioner."

Also: Amend by striking out of Section 33, line ten, the words "twenty-eight hundred," and inserting the following: "three thousand"

Also: By striking out of Section 33, lines twelve and thirteen, all after the word "annum," and inserting a period after the word "annum."

Also: By striking out of Section 33, line fourteen, the word "seven," and inserting the word "eight."

Also: By striking out of Section 33, line sixteen, the word "one," and inserting the word "two."

Also: Amend Section 33, line forty-eight, by inserting after the word "education," the words "including the secretary."

Also: Strike out all after the word "direction," in line seventy-eight, and insert the following: "and may require one of the official reporters to act as clerk or stenographer for such purpose, and in case any such reporter should refuse or be unable to attend, may employ a stenographer for that purpose at the same compensation allowed to stenographers of the Superior Court of the county, such amount to be deducted from the salary of the official reporter in default."

Also: Add after word "tried," line one hundred and fifty-nine, the following: "*provided, however*, that nothing herein contained shall prevent a magistrate from appointing a shorthand reporter, pursuant to the provisions of Section 869 of the Penal Code of the State of California, or affect the right of such reporter to compensation."

Also: Amend by striking out of Section 26, lines one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, and two hundred.

Also: Amend Section 20 by striking out all of subdivision seventeen thereof, page sixty-four, lines ninety-four to one hundred and two, both inclusive, of printed bill

Also: Amend by striking out of Section 10, page thirty-three, line one hundred and thirty-four, the word "city," and make "court" read "courts."

Also: Strike out, in line twenty, page forty-seven, the words "and one deputy at a salary of $900."

Also: Strike out, in line sixty-four, page forty-eight, the words "one hundred," and insert in lieu thereof the word "ninety."

Also: Strike out, in line ninety, page forty-nine, the words "one hundred," and insert in lieu thereof the word "eighty-five."

Also: Strike out, in line one hundred and twenty-two, page fifty, the words "twelve hundred and fifty," and insert in lieu thereof the words "one thousand."

Mr. McWade moved to adopt the report of the committee of free conference.

And the question being put, the roll was called, and report and amendments adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Butler, Carter, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Gulfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Levinson, Mattos, McLoughlin, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Roberts, Rutherford, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—48.

NOES—Messrs. Feliz, Greer, and Savage—3.

SENATE SPECIAL FILE.

Senate Bill No. 562—An Act entitled "An Act to amend an Act to provide for the organization and government of irrigation districts, and

to provide 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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bennink, Berry, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke Collins, Cowan, Cromwell, Dunlap, Duryea, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, Johnson, Kincaid, Knight, Knowland, McLoughlin, McWade Merritt, Milice, Miller, Ralston, Roberts, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, and Wright—43.

NOES—Messrs. Foster, James, Laird, Levinson, Mattos, and Myers—6.

Title read and approved.

Senate Bill No. 597—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor.

Read second time.

Mr. Wright moved that the Assembly resolve itself into a Committee of the Whole, with the Speaker in the chair, for the purpose of considering Senate Bill No. 597.

So ordered.

IN COMMITTEE OF THE WHOLE.

Speaker Pendleton in the chair.

Senate Bill No. 597 was considered in Committee of the Whole.

IN ASSEMBLY.

Speaker Pendleton in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 597—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass.

PENDLETON, Chairman.

Report adopted.

Senate Bill No. 597 ordered to third reading.

Senate Bill No. 597—An Act to provide for sinking an artesian well on the grounds of the Agnews State Hospital, and making an appropriation therefor.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Chandler, Chiles, Clarke, Cowan, Cromwell, Dunlap, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Levinson, McLoughlin, McWade, Merritt, Milice, Miller, Ralston, Ray, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—43.

NOES—Mr. Duryea—1.

Title read and approved.

Senate Bill No. 131—An Act to change and permanently locate the boundary line between the counties of Butte and Plumas.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Johnson, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McLoughlin, McWade, Merritt, Milice, Miller, Radcliff, Ray, Roberts, Rutherford, Savage, Treadwell, Walker, Williams, and Mr. Speaker—44.
NOES—None.

Title read and approved.

LEAVE OF ABSENCE.

Mr. Johnson was granted leave of absence for the remainder of the day.

MOTION TO ADJOURN.

At eleven o'clock and fifteen minutes P. M., Mr. Hasson moved to adjourn.

Motion lost.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 663—An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644.

Read second time, and ordered to third reading.

Senate Bill No. 663—An Act to amend the Political Code by amending Section 343 thereof, and adding a new section thereto, to be numbered Section 644.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bennink, Berry, Broughton, Brown of San Mateo, Butler, Chandler, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Guilfoyle, Hanen, Hasson, Higby, Irving, James, Kincaid, Knowland, Levinson, Mattos, McLoughlin, Merritt, Milice, Miller, Ralston, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—41.
NOES—Messrs. Haley and Ray—2.

Title read and approved.

Senate Bill No. 572—An Act making an appropriation to pay the claim of W. J. Ping for rent paid for house at Glen Ellen while farm overseer at the California Home for the Care and Training of Feeble-Minded Children during the years 1896, 1897, and 1898, in the sum of $242.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Bennink, Berry, Bliss, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Kincaid, Knight, Knowland, Levinson, McLoughlin, McWade, Merritt, Milice, Miller, Ray, Roberts, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, and Mr. Speaker—46.
NOES—Mr. Wright—1.

Title read and approved.

Senate Bill No. 248—An Act to amend Section 791 of the Political Code of the State of California, relating to the appointment and commissioning of notaries public for the several counties of the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Bennink, Berry, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Dunlap, Duryea, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Irish, Irving, James, Kincaid, Knight, Knowland, Levinson, Mattos, McLoughlin, McWade, Ralston, Ray, Roberts, Rutherford, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Wright, and Mr. Speaker—43.

NOES—None.

Title read and approved.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed (as a case of urgency) Senate Bill No 664—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section to the Political Code of the State of California, to be known as Section 3897*a*, relating to public lands and revenue and taxation and to the Regents of the University of California.

Also. Amended, and passed as amended, Assembly Bill No. 330—An Act to amend Sections four (4), five (5), and eight (8), and twelve (12) of an Act approved March 29, 1897, entitled "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: Passed Assembly Bill No. 302—An Act to add a new section to the Penal Code, to be known as Section 625½, in relation to the plugging of water-producing wells made in territory producing oil.

Also Assembly Bill No 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Also: Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes, defining the duties and powers and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Also: Concurred in Assembly amendments to Senate Bill No 659—An Act making additional appropriation to provide for certain improvements and repairs at the State Normal School at Los Angeles.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Senate Bill No. 664—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section to the Political Code of the State of California, to be known as Section 3897*a*, relating to public lands and revenue and taxation, and to the Regents of the University of California.

Read first time, and ordered on Senate Special File

Assembly Bill No. 330 ordered to unfinished business.

Assembly Bills Nos. 302, 218, and 815 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

Also: Assembly Bill No. 832—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, and all Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Also. Refused adoption to Assembly Joint Resolution No 16—Relative to requesting Congress to call a convention for the purpose of submitting an amendment to the Constitution of the United States calling for the election of United States Senators by the direct vote of the people.

Also: Passed Assembly Bill No. 625—An Act to amend Sections 626, 627, and 631 of the Penal Code of the State of California, to add seventeen new sections to said Code, to

be numbered 626*a*, 626*b*, 626*c*, 626*d*, 626*e*, 626*f*, 626*g*, 626*h*, 626*i*, 626*j*, 626*k*, 626*l*, 626*m*, 627*a*, 627*b*, 631*a*, and 631*b*, all relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 761, 832, and 625 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 740—An Act to regulate the practice of architecture.

Also: Refused passage to Assembly Bill No 402—An Act restricting the powers of Boards of Supervisors in the matter of imposing licenses upon the business of raising, herding, grazing, and pasturing sheep.

F. J BRANDON, Secretary of Senate
By F. C. MICHAELIS, Assistant Secretary

Assembly Bill No. 740 ordered to unfinished business.

Also:

SENATE CHAMBER, SACRAMENTO, March 15, 1901

MR. SPEAKER; I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc, lottery tickets.

Also: Senate Bill No. 399—An Act adding a new section to the Penal Code, to be numbered and designated as Section 374½, relating to discharging or depositing coal tar and similar products in any of the navigable waters of the State.

F. J. BRANDON, Secretary of Senate
By FRED L. THOMAS, Assistant Secretary.

Assembly Bill No. 227 ordered to enrollment.

Senate Bill No. 399—An Act adding a new section to the Penal Code, to be numbered and designated as Section 374½, relating to discharging or depositing coal tar and similar products in any of the navigable waters of the State.

Read first time, and placed on Senate Special File.

ADJOURNMENT.

At eleven o'clock and fifty minutes P. M., on motion of Mr. Ralston, the Assembly adjourned.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, March 16, 1901.

The Assembly met at nine o'clock and thirty minutes A. M., pursuant to adjournment.

Speaker pro tem. Ralston in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bauer, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Butler, Carter, Cavagnaro, Chandler, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Evatt, Feliz, Fisk, Foster, Franklin, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McNeil, McWade, Melick, Merritt, Milice, Miller, Myers, Radcliff, Ralston, Ray, Reeber, Roberts, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador; Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—78.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

READING OF JOURNAL.

On motion of Mr. Bliss, further reading of the Journal was dispensed with.

APPROVAL OF JOURNAL.

The Journal of Thursday, March 14, 1901, was read, corrected, and approved.

RESOLUTIONS.

By Mr. Johnson:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to hold the warrants for the attachés of the Assembly until the further order of the Assembly.

Mr. Johnson moved the adoption of the resolution.

Mr. James moved as a substitute that the resolution be made special order for two o'clock P. M.

Motion to substitute lost.

Mr. Mattos moved to lay on the table.

Motion lost.

Mr. James moved that the Sergeant-at-Arms be permitted to explain.

Carried.

Mr. Banks, Sergeant-at-Arms, explained.

Mr. Laird moved that the Night Watchman be excused.

Motion lost.

Mr. Webber offered the following substitute:

Resolved, That the Night Watchman and Porters of the Assembly, whose duty it was to clean the Assembly chamber, be docked one day's pay for failure to clean the Assembly chamber for March 16, 1901.

Mr. Anderson of Solano moved that the whole subject be referred to Committee on Attachés and Employés, with instructions to report at eleven o'clock and forty-five minutes A. M.

Motion carried, and so ordered.

Mr. Webber moved that the Sergeant-at-Arms be instructed to have the Assembly chamber cleaned during noon recess.

So ordered.

REGULAR ORDER OF BUSINESS POSTPONED.

Mr. Treadwell moved that all orders of business, except Senate messages and Senate bills, be postponed until afternoon.

So ordered.

Mr. Laird moved that Senate messages be taken up.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

Also: Passed Senate Bill No. 647—An Act appropriating $1,200, the amount heretofore appropriated to Agricultural District No. 43, comprising the County of Lassen, by an Act entitled "An Act making appropriations for the support of the government of the State of California for the fifty-first and fifty-second fiscal years," approved March 17, 1899.

Also: Refused passage to the following:

Assembly Bill No. 40—An Act to remove clouds upon the title to certain lands in the State of California.

Assembly Bill No. 58—An Act to amend Section 61 of the Civil Code, relating to the granting of divorces.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bill No. 804 ordered to enrollment.

Senate Bill No. 647—An Act appropriating $1,200, the amount heretofore appropriated to Agricultural District No. 43, comprising the County of Lassen, by an Act entitled "An Act making appropriations for the support of the government of the State of California for the fifty-first and fifty-second fiscal years," approved March 17, 1899.

Read first time, and ordered on file for second reading.

MOTION.

Mr. Sutro moved that the Senate file be taken up where the Assembly left off last evening.

Carried.

SENATE SPECIAL FILE.

Senate Bill No. 384—An Act making an appropriation of $8,000 to be used by the Board of Managers of the Stockton State Hospital at Stockton, to purchase three new boilers for the engine-room of the male department of the State Hospital at the City of Stockton, County of San Joaquin, State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Broughton, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Dunlap, Evatt, Foster, Gans, Greer, Hanen, Hasson, Hourigan, Irish, Irving, John, Kincaid, Knight, Knowland, McNeil, Melick, Milice, Miller, Radcliff, Ralston, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, and Wright—40.

NOES—None.

Title read and approved.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Joint Resolution No. 15—Relative to the Humboldt Indian claims.

Assembly Bill No. 238—An Act making an appropriation for repairs at the Woman's Relief Corps Home, located at Evergreen, Santa Clara County, for ex-army nurses and indigent widows, wives, mothers, and dependent daughters and sisters of Union veterans who served honorably in the Civil War.

Assembly Bill No. 235—An Act making an appropriation to pay the expenses incurred for the funeral of the late Lieutenant Hartley R. Hodgson, N. G. C.

Assembly Bill No. 189—An Act to amend Section 1276 of the Code of Civil Procedure, relating to change of names.

Assembly Bill No. 200—An Act to provide an ice machine and cold-storage plant for the Mendocino State Hospital, with the necessary connections and fittings, and making an appropriation therefor.

Assembly Bill No. 426—An Act making an appropriation to pay the claim of William J. Elder, for rent of room used by the Commissioners for the Revision and Reform of the Law, at the State House Hotel, in the City of Sacramento, from the 12th day of January, 1899, to the 19th day of March, 1899.

Assembly Bill No. 360—An Act to amend the Penal Code by adding a new section thereto, to be numbered Section 288, relating to crimes against children.

Assembly Bill No. 456—An Act to amend Section 4045 of the Political Code of the State of California, relating to the powers of Boards of Supervisors in their respective counties to impose a license tax, at a rate to be fixed annually by them, upon certain named persons, occupations, and business.

Assembly Bill No. 522—An Act making an appropriation to provide for certain improvements and repairs at the State Normal School at San José, Santa Clara County, California.

Assembly Bill No. 873—An Act providing for the creation and management of the California Redwood Park; making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park.

Assembly Bill No. 699—An Act to provide for the purchase of library books, periodicals, and magazines for the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Assembly Bill No. 698—An Act to provide for the purchase and installation of additional bathtubs for the girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same.

Assembly Bill No. 856—An Act making an appropriation to pay the deficiency in the appropriation for the support and maintenance of the Veterans' Home of California, for the remainder of the fifty-second fiscal year.

Assembly Bill No. 826—An Act to establish the boundary line between the County of Humboldt and the counties of Del Norte and Siskiyou.

Assembly Bill No. 869—An Act to amend Section 490 of the Civil Code, relating to railroad fares and tickets.

Assembly Bill No. 617—An Act to provide for improving the grounds of the Agnews State Hospital, and making an appropriation therefor.

Assembly Bill No. 618—An Act to provide for the building and furnishing of a cottage upon the grounds of the Agnews State Hospital, and to appropriate money therefor

Assembly Bill No. 645—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878, and as amended March 26, 1895, by adding a new section thereto, to be numbered Section 11½, relating to the winding up the affairs of an insolvent banking corporation.

Assembly Bill No. 697—An Act to provide for the purchase of sewing machines for replacing the sewing machines now worn out in the tailor shop and girls' department of the Whittier State School, located at Whittier, in the County of Los Angeles, State of California, and to make an appropriation for the same

Assembly Bill No. 199—An Act to provide an electric plant for lighting the buildings and grounds of the Mendocino State Hospital, and making an appropriation therefor.

Assembly Bill No. 253—An Act making an appropriation to pay the deficiency in the Adult Blind Fund, and directing the Controller and Treasurer to transfer the amount therein appropriated from the General Fund to said Adult Blind Fund.

Assembly Bill No 340—An Act appropriating $7,000 for the construction of storm-water drains on the grounds of the Southern California State Hospital, at Patton, California.

Assembly Bill No. 342—An Act to provide for certain improvements at the Southern California State Hospital, and making an appropriation therefor.

Assembly Bill No. 386—An Act to amend Sections 296 and 297 of the Civil Code of California, and adding a new section to the said Civil Code, to be known and numbered as Section 296*a*, prescribing the duties of the Secretary of State relative to filing articles of incorporation, and to prevent duplicating names.

Assembly Bill No. 579—An Act to amend Section 1192 of the Political Code, relating to elections

Assembly Bill No. 599—An Act to amend Section 358 of the Civil Code, relating to organization and continuance of business corporations.

Assembly Bill No. 506—An Act making an appropriation to pay for an air-compressor for the State Prison at Folsom.

Assembly Bill No. 615—An Act to provide for the erection of water towers and tanks on the grounds of the Agnews State Hospital, and appropriating money therefor.

And were presented to the Governor this day at three o'clock and seven minutes P. M.

Also: Report that the following bills have been correctly enrolled:

Assembly Bill No. 793—An Act to amend an Act to establish a Political Code, approved March 12, 1872, by repealing Sections 1357 to Section 1380 thereof, both inclusive, and by adding certain new sections to said code in lieu of said sections so repealed, to be numbered, consecutively, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, and 1375, and by amending Sections 1186, 1187, and 1188 of said Political Code, concerning primary elections, political conventions, nominations, and political committees.

Assembly Constitutional Amendment No. 28—A proposed amendment to Article XX of the Constitution, relative to a State Commission to have charge in certain respects of certain corporations.

Assembly Bill No 576—An Act to amend Section 160 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, and concerning compensation of county and township officers.

Assembly Bill No 754—An Act to add a new section to the Political Code, to be known as Section 2647 of the Political Code, relating to the duties and powers of Boards of Supervisors respecting roads.

Assembly Bill No. 881—An Act to amend Section 3713 of the Political Code, relating to the levy of taxes

And were presented to the Governor this day at ten o'clock and fifteen minutes P. M

G. H. ANDERSON, Acting Chairman.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 463—An Act to amend Section 3819 of the Political Code of the State of California.

Read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Anderson of Solano, Bennink, Berry, Chandler, Chiles, Cromwell, Dunlap, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Higby, Hubbard, Irving, James, Johnson, Kelley, Knowland, McNeil, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Schilig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Williams, and Wright—40.

NOES—Messrs. Atherton, Brown of San Mateo, Carter, Hasson, Hourigan, Irish, John, Kincaid, Knight, Laird, Mattos, Savage, Stewart of Amador, and Walker—14.

CONCURRENCE IN SENATE AMENDMENTS.

Assembly Bill No. 740—An Act to regulate the practice of architecture.

The question being, "Shall the Assembly concur in the following Senate amendment?"

Amend by striking out of Section 4. line three, the word "exclusively."

The roll was called, and the Assembly concurred in the Senate amendment by the following vote:

AYES—Messrs. Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Butler. Chiles, Cromwell, Dunlap, Evatt, Feliz, Gans, Guilfoyle, Haley, Hanen, Hasson, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, McNeil, Merritt, Milice, Ralston, Ray, Roberts, Savage, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Williams, Wright, and Mr. Speaker—43.

NOES—Messrs. Irish and Mattos—2

Assembly Bill No. 740 ordered to enrollment.

Assembly Bill No. 330—An Act to amend Sections 4. 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

The question being, "Shall the Assembly concur in the following Senate amendments?"

Amend by inserting on page one, title, after figure "(8)," the words and figures "and twelve (12)."

Also: Amend on page seven, Section 4, line one hundred and eighty-eight, by inserting the following, and renumber sections following section twelve, as amended, so as to read as follows:

"Section 12. This Act shall be binding (1) upon those public school teachers, and such officers of the school department possessing teachers' certificates as are mentioned in subdivision four of section twelve as amended in section five of this Act, who, after the passage of this Act, shall sign and deliver to the Public School Teachers' Retirement Fund Commissioners, and to the secretary of the Board of Education of the incorporated city or town, or consolidated city and county, or to the clerk of the Board of Trustees of the school district in which they are employed, a notice in substantially the following form:

"————————, ————, 19—.
(residence) (date)

"To the Public School Teachers' Annuity and Retirement Fund Commissioners of ——— county (or city and county):

"You are hereby notified that I agree to be bound by, and desire to avail myself of, the provisions of the Act of the Legislature of the State of California, approved March twenty-sixth, eighteen hundred and ninety-five, 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,' as amended by an Act approved March twenty-nine, eighteen hundred and ninety-seven, entitled "An Act to amend an Act approved March twenty-six, eighteen hundred and ninety-five, 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,' as amended by an Act approved ———, nineteen hundred

and one, entitled 'An Act to amend sections four (4), five (5), eight (8), ten (10), and twelve (12) of an Act approved March twenty-nine, eighteen hundred and ninety-seven, entitled 'An Act to amend an Act approved March twenty-six, eighteen hundred and ninety-five, 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.'

Public school teacher."

And provided, that at least thirty teachers within the county, or consolidated city and county, have filed the notice hereinbefore set forth; *provided further*, that in all counties, or in consolidated cities and counties, where 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; *provided further*, that no teacher shall be entitled to any benefits under this Act who is employed in the public schools of this State at the date of the passage of this Act and who is eligible to become a contributor to said fund and who is able to become a contributor to said fund, and who fails to give such notice within ninety days after the passage of this Act. (2) In consolidated cities and counties it shall be binding upon all teachers elected or appointed to teach in the public schools of such consolidated cities and counties after the passage of this Act. (3) Teachers receiving annuities under the provisions of the Act of which this Act is amendatory shall be subject to the provisions of this Act. (4) Any teacher who shall leave or who at the passage of this Act has left his position or employment as teacher in the public schools of this State to accept the office of superintendent of a city or county or city and county of this State or the office of deputy of any one of such superintendents or to accept a membership in a Board of Education of a city or county, and who shall continue during the occupancy of such office to hold a valid certificate or diploma to teach in the public schools of this State, shall remain and is, within the meaning, intent, and purpose of this Act, a teacher of the county or city and county wherein he holds such office, and the services he has rendered or may render in any one or more of such offices shall be held and considered and for the purposes of this Act are equivalent to the same length of time of actual teaching in the public schools of this State; and such a teacher, who has heretofore or may hereafter assume the burdens of this Act, may be retired from any one of such offices in the same manner as if he were actually teaching, and shall be so retired in the same class in which he would have been retired under this Act and the Act of which this Act is amendatory if he had continued in the same position or employment which last he left to enter into such offices. No teacher occupying one of the offices mentioned in this subdivision shall be entitled to participate in the benefits of this Act and the Act of which this Act is amendatory, unless during all the time he occupies such office or offices he pays into the Annuity and Retirement Fund of the county where he first assumed the burdens of this Act and the Act of which this Act is amendatory the sum of one dollar per month.

"SEC. 5. All Acts or parts of Acts 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 its passage."

Also: On page 7, Section 3, to line eighty-six add the following: "City Treasurers are hereby directed to pay into the teachers' annuity and retirement fund the contributions of teachers and school officers where salaries are paid through City Treasurers, in the same manner as provided in the Act of which this Act is amendatory, to be paid by the Treasurer of a county, or a consolidated city and county."

The roll was called, and the Assembly concurred in the Senate amendments by the following vote:

AYES—Messrs. Anderson of Solano, Atherton, Barnes, Bennink, Brown of San Mateo, Carter, Chiles, Cromwell, Dunlap, Feliz, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Hourigan, Irish, Irving, James, John, Kelley, Knight, Knowland, Mattos, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Sheridan, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—41.

NOES—Messrs. Anderson of Santa Clara, Berry, Chandler, Kincaid, Laird, Roberts, Simpson, and Wright—8.

Assembly Bill No. 330 ordered to enrollment.

SENATE SPECIAL FILE—(RESUMED).

Senate Bill No. 467—An Act making an appropriation to pay the claim of Christopher McNulty for injuries received on property belonging to the State of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Brown of San Mateo, Chandler, Chiles, Collins, Cromwell, Foster, Gans, Guilfoyle, Haley, Hanen, Higby, Irving, James, Johnson, John, Kelley, Kincaid,

Knight, Knowland, Levinson, Mattos, McWade, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, and Wright—43.
NOES—None.

Title read and approved.

Senate Bill No. 581—An Act to create a State Board of Accountancy, and prescribe its duties and powers; to provide for the examination of and issuance of certificates to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violation of the provisions hereof.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Bennink, Butler, Chandler, Chiles, Collins, Cromwell, Dunlap, Evatt, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knowland, Levinson, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Schillig, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Wright, and Mr. Speaker—47.
NOES—Messrs. Barnes, Berry, Brown of San Mateo, Feliz, Knight, Laird, and Mattos—7.

Title read and approved.

RESOLUTION.

By Mr. Fisk:

Resolved, That Senate Bills Nos. 399 and 664 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 be read the second and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brown of San Mateo, Butler, Chiles, Collins, Cromwell, Evatt, Feliz, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Levinson, Mattos, McWade, Melick, Milice, Miller, Myers, Ralston, Ray, Reeber, Rutherford, Savage, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.
NOES—None.

CASES OF URGENCY.

Senate Bill No. 399—An Act adding a new section to the Penal Code, to be numbered and designated as Section 374½, relating to discharging or depositing coal tar and similar products in any of the navigable waters of the State.

Read second time, and ordered to third reading.

Senate Bill No. 399—An Act adding a new section to the Penal Code, to be numbered and designated as Section 374½, relating to discharging or depositing coal tar and similar products in any of the navigable waters of the State.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Brown of San Mateo, Chandler, Chiles, Clarke, Collins, Cromwell, Dunlap, Fisk, Foster, Gans, Greer, Gulfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Hubbard, Irish, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Laird, Levinson, McWade, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.
NOES—None.

Title read and approved.

Senate Bill No. 664—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section to the Political Code of the State of California, to be known as Section 3897*a*, relating to public lands and revenue and taxation and to the Regents of the University of California.

Read second time, and ordered to third reading.

Senate Bill No. 664—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by adding a new section to the Political Code of the State of California, to be known as Section 3897*a*, relating to public lands and revenue and taxation and to the Regents of the University of California.

Read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Mateo, Chandler, Chiles, Clarke, Cromwell, Dunlap, Feliz, Fisk, Foster, Greer, Guilfoyle, Haley, Hanen, Hasson, Irish, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Mattos, McWade, Melick, Milice, Miller, Ralston, Ray, Reeber, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—54.

NOES—None.

Title read and approved.

RECESS.

At twelve o'clock M., Speaker pro tem. Ralston declared a recess until two o'clock P. M.

REASSEMBLED.

The Assembly reconvened at two o'clock P. M.

Speaker Pendleton in the chair.

Quorum present.

CORRECTION AND APPROVAL OF JOURNAL.

Mr. Johnson moved to correct the Journal of March 15, 1901, as follows:

1. Strike out the two lines at the top of page 38, which read as follows: "The question being, 'Shall the Assembly adopt report of the free conference committee and the following amendments agreed upon?'"

2. After the words "one thousand," in the sixth line from the bottom of page 38, insert the following: "Mr. McWade moved to adopt the report of the committee on free conference, and the question being put."

Motion carried, and so ordered.

The Journal of Friday, March 15, 1901, was further corrected, and approved.

SENATE SPECIAL FILE—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT NO. 13.

To propose to the people of the State of California an amendment to the Constitution of the State of California by amending Section 8 of Article I thereof, relating to offenses.

Now, therefore, The Legislature of the State of California, at its regular session commencing on the seventh day of January, nineteen hundred and one, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby proposes that section eight of article one of the Constitution of said State be amended to read as follows:

Section 8. Offenses heretofore required to be prosecuted by indictment shall be prosecuted by information, after examination and commitment by a magistrate, as may be prescribed by law.

Senate Constitutional Amendment No. 13 read.

The question being on the adoption of Senate Constitutional Amendment No. 13.

The roll was called, and Senate Constitutional Amendment No. 13 adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Barnes, Bennink, Berry, Bliss, Brady, Butler, Carter, Chiles, Clarke, Collins, Dunlap, Evatt, Feliz, Fisk, Foster, Gans, Guilfoyle, Haley, Hanen, Hasson, Henry, Higby, Hourigan, Hubbard, Irving, James, John, Kelley, Kincaid, Knight, Knowland, Laird, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Miller, Ralston, Ray, Reeber, Roberts, Rutherford, Schillig, Simpson, Stewart of San Diego, Stewart of Amador, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—56.

NOES—Messrs. Brown of San Francisco, Chandler, Cowan, Cromwell, Johnson, and McWade—6.

MOTION.

Mr. Bliss moved that messages from the Governor be taken up.

So ordered.

MESSAGES FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 16, 1901.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No 873, entitled "An Act providing for the creation and management of the California Redwood Park, making an appropriation therefor, and creating a board of five commissioners, with power to make purchases and to manage said California Redwood Park"

HENRY T. GAGE,
Governor of the State of California

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 16, 1901.

To the Assembly of the State of California:

I herewith return to your honorable body without my approval, with my objections thereto, Assembly Bill No. 879, entitled "An Act providing for an appropriation for the purpose of purchasing additional land for Sutter's Fort, and for improving the grounds about such fort."

I do not perceive any urgent necessity for the appropriation of this sum. Sutter's Fort was acquired under the Act of March 7, 1891, creating a board of five trustees, and by that Act the sum of $20,000 was appropriated for the improvement and care of this historic site. It was not then deemed necessary for the State to purchase or acquire any additional ground. Afterward, under an Act of the Legislature approved March 9, 1893, $15,000 was appropriated for the purpose of completing the work of restoring Sutter's Fort, and for the care and preservation of the property.

Again, under the Act of the Legislature approved March 16, 1895, the position of Guardian of Sutter's Fort was created, and the salary of such Guardian was fixed at $50 per month, which amount has ever since been a continuing charge against the State.

Still again, under an Act approved April 1, 1897, $4,000 was appropriated for the purpose of improvements and repairs.

It is proposed under the terms of this Act to expend $20,000 more for the purchase of additional land, which will necessarily entail additional expense for its care in the future. The money which the State has expended in the past, and which it continues to expend in the appropriations biennially made, ought at least for the present to suffice for this purpose, especially when other needed appropriations for State institutions are indispensable.

With the naturally increased necessities of the State to be provided for, in addition to the many special appropriations which are required, it must appear to all right-thinking people whose attention is directed to the whole situation that it would be as unwise in policy as it would be unjust to the taxpayers to force, at this inopportune time, the purchase of new grounds, merely for the embellishment of Sutter's Fort.

HENRY T. GAGE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 16, 1901

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No 556, entitled "An Act declaring upon what terms contracts between persons, companies, associations, or corporations furnishing water for irrigation to the consumers of such water shall be valid, and to provide that such contracts shall be deemed

based upon sufficient consideration"; and No. 764, entitled "An Act to revise the Penal Code of the State of California by amending certain sections, repealing others, and adding certain new sections"; and No. 683, entitled "An Act to revise the Civil Code of the State of California by amending certain sections, repealing others, and adding certain new sections."

HENRY T. GAGE,
Governor of the State of California.

REPORT OF COMMITTEE ON WAYS AND MEANS.

Mr. Fisk moved that the following report of Committee on Ways and Means, as submitted yesterday, be adopted:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1901.

MR SPEAKER: Your Committee on Ways and Means, to whom was referred the following resolutions.

Resolved, That Committee Clerks H. F. Bridges and E. J. Dwyer, of the Ways and Means and Judiciary committees, respectively, be each allowed the sum of $150 as payment for overtime work and additional services rendered the thirty-fourth session of the California Legislature, and for the completion of all unfinished clerical work after the adjournment of the Legislature; and the Controller is hereby directed to immediately draw his warrant against the Contingent Fund of the Assembly in said amount in favor of said H. F. Bridges and E. J. Dwyer, and the State Treasurer is directed to pay said warrants.

Also:

Resolved, That L. F. Stinson, Engrossing and Enrolling Clerk, be and he is hereby instructed to remain at the Capitol after the final adjournment of the Assembly, to complete the work of the Engrossing and Enrolling Department, and that he be allowed the sum of $50 for such work, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for said sum, and the Treasurer is directed to pay the same.

Also:

Resolved, That L. A. Hilborn and H. S. Wanzer be and they are hereby authorized and directed to compile, prepare, and have printed a final calendar of the legislative business of the thirty-fourth session, embracing a history of all bills introduced, their authors, the number that have become laws, those that have been read the second readings, and all other information that will create a perfect guide and history of the session's business, together with this shall be the expenses of the Senate and Assembly, and of printing such information being prepared not only for the public, but as a guide for the thirty-fifth session of the Legislature. For the purpose of carrying out this work, the sum of $175 each is hereby allowed said above-named persons ($50 of the sum total being to pay the postage and expenses of forwarding copies of such final history to each member of the Legislature and for other expenses in connection therewith), and the State Controller is hereby directed to immediately draw his warrants in favor of said persons, in said sums, against the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay said warrants.

Also:

Resolved, That Clio Lloyd, Chief Clerk, and James A. Oliver and Clark Alberti, Assistant Clerks, and John Mott, File Clerk, be instructed and employed to remain in Sacramento after the close of the Legislature to properly close up the business of this, the thirty-fourth, session, certify and deliver all books, bills, committee registers, etc., to the Secretary of State, deliver all property of this body to the proper officials, verify all proceedings in enrollment, and do all necessary work in the premises; and that for so doing the sum of $100 be allowed said Chief Clerk Clio Lloyd, and the sum of $75 each be allowed said Oliver, Alberti, and Mott, and the State Controller is hereby directed to immediately draw his warrants in favor of said persons and in said sums against the Contingent Fund of the Assembly, and the State Treasurer is hereby directed to pay said warrants.

Also:

Resolved, That H. A. Wright, Enrolling Clerk of the Assembly, be and he is hereby employed after the final adjournment of the Assembly, for the purpose of completing the work on his books and delivering the same into the hands of the Secretary of State; and that he be allowed the sum of $50, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrant for said amount in favor of the above-named person, and the Treasurer is hereby directed to pay the same.

Also

Resolved, That the sum of $90 be and the same is hereby appropriated out of the Contingent Fund of the Assembly, for the purpose of paying for the engrossment of resolutions of respect in memoriam of the Hon. Stephen M. White, and the Hon. Barnabas Collins, deceased member of the thirty-fourth session of the Legislature of the State of California. The Controller of the State is hereby authorized to draw his warrant for said amount in favor of Clio Lloyd, being $50, as per attached bill, for engrossing the White resolution, and $40 for engrossing the Collins resolution, and the Treasurer is hereby directed to pay the same.

Also:

Resolved, That the attachés of the postal service of the Assembly be and they are hereby directed to remain at the Capitol for one week after the final adjournment of the Assembly, for the purpose of caring for the mail and sending the same to members and others, and that they be allowed their regular per diem therefor, payable out of the Contingent Fund of the Assembly; and the Controller is hereby directed to draw his warrants in payment of same, and the State Treasurer is hereby authorized and directed to pay same.

Also:

Resolved, That R. Q. Wickham, Minute Clerk, and T. K. Carr and A. W. Broughton, as assistants, be and are hereby employed to remain in Sacramento after final adjournment, and to properly paste together, arrange, and label the original minutes, which must be filed with the Secretary of State, and that for such services each is allowed the sum of $75, 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.

Also:

Resolved, That the Controller is hereby directed to draw his warrant in favor of Charles F. Curry, Secretary of State, for the sum of $50, to pay for the engrossing of resolutions heretofore adopted by the Assembly, the same to be payable out of the Contingent Fund of the Assembly.

Also:

Resolved, That R. L. Dempsey, Journal Clerk of the Assembly, and Jeremiah Lucy, his assistant, be and they are hereby employed after the final adjournment of the thirty-fourth session of the Legislature of the State of California, for the purpose of completing the work devolving upon them as Journal Clerks of the Assembly, in comparing and delivering the corrected and approved Journals and the five bond copies of the same (as required by law) to the Chief Clerk of the Assembly, when completed, and that they each be allowed the sum of $50 from and after the final adjournment of the thirty-fourth session of the Legislature, payable out of the Contingent Fund of the Assembly, and the Controller is hereby directed to draw his warrants for the same, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that they be adopted.

FISK, Chairman.

Report and resolutions adopted.

RESOLUTION.

By Mr. Higby:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of Clio Lloyd, Chief Clerk of the Assembly, for $50, the same being for postage and incidental expenses, payable out of the fund for the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 880—An Act to prohibit the falsely marking, branding, or labeling boxes, packages, or barrels containing fruit, and providing that a violation thereof shall be deemed a misdemeanor, and fixing a punishment upon conviction therefor.

Assembly Bill No. 72—An Act to amend Section 1665 of an Act entitled "An Act to establish a Political Code," approved March 12, 1872, relating to the public schools.

Assembly Bill No. 850—An Act to amend Section 531 of the Political Code of the State of California, relative to the duties and qualifications of the Superintendent of State Printing of said State.

Assembly Bill No. 77—An Act to amend Sections 1136 and 1137 of the Penal Code.

Assembly Bill No. 583—An Act to add a new section to the Political Code, to be known as Section 1778, relating to the granting and issuance of permanent certificates to teach in the several counties and cities and counties in the State.

Assembly Bill No. 393—An Act to amend Section 612 of an Act entitled "An Act to establish a Civil Code," approved March 31, 1872.

Assembly Bill No. 218—An Act to pay the claim of C. B. Lightfoot against the State of California, and making an appropriation therefor.

Assembly Concurrent Resolution No. 8—Relative to adjournment sine die of the thirty-fourth session of the Legislature.

Assembly Bill No. 363—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 Boards of Trustees of cities of the fifth class.

Assembly Bill No. 67—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Assembly Bill No. 207—An Act to provide for the erection of additional buildings for the use of the State Normal School at Chico, California, to furnish the same, and making an appropriation therefor.

Assembly Bill No. 277—An Act to amend an Act entitled "An Act to provide for work upon streets, lanes, alleys, courts, places, and sidewalks, and for the construction of sewers within municipalities," approved March 18, 1885, by adding thereto a new section, to be known as Section 3½, relating to the levying and equalizing and modifying and reapportionment and reassessment of assessments under said Act, and relating to appeals from reassessments and assessments thereunder and remonstrances against such assessments and reassessments and against the improvements under said Act.

Assembly Bill No. 766—An Act to amend Section 1665, and to repeal Section 1666, of the Political Code of the State of California, relating to the course of study for the public schools of this State.

Assembly Bill No. 681—An Act to promote the horticultural interests of the State by providing County Boards of Horticultural Commissioners, and repealing an Act entitled "An Act to promote the horticultural interests of the State by providing County Boards of Horticulture," approved March 31, 1897.

Assembly Bill No. 706—An Act to amend Sections 1503, 1521, 1663, 1770, 1771, 1772, 1775, 1787, 1788, 1789, 1790, 1791, 1792, and 1793 of the Political Code of the State of California, relating to public schools.

Assembly Bill No. 111—An Act to amend Sections 275, 276, 277, 278, 279, 280, and 281 of an Act entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1872, relating to the admission to practice, and the practice of attorneys and counselors-at-law, in the courts of this State, and to add new sections to said Act, to be numbered, respectively, 275*a*, 275*b*, 275*c*, and 275*d*, relating to the same subject.

Assembly Bill No. 546—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 for 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 parents to the counties from which their children are committed," approved March 26, 1895.

Assembly Concurrent Resolution No. 11—Relative to thanking Mrs. Phœbe A. Hearst.

And were presented to the Governor this day, at one o'clock and twenty-five minutes P. M.

G. H. ANDERSON, Acting Chairman.

RESOLUTIONS.

By Mr. Collins:

Resolved, That Louis Brady be and he is hereby allowed the sum of $10 for carfare and expressage as mail clerk of the Assembly for the period of the session; and also be it,

Resolved, That the State Controller is hereby authorized to draw his warrant in favor of said Louis Brady, and the Treasurer is hereby directed to pay the same out of the Contingent Fund of the Assembly.

Lost.

By Mr. Treadwell:

Resolved, That the Controller is hereby directed to draw his warrant in favor of W. O. Banks for the sum of fifty-five dollars ($55), payable out of the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same, for the payment of the expense of shipping Code Revision bills to the members of the Assembly, and the Sergeant-at-Arms is hereby directed to ship said bills to the members of the Assembly immediately.

Mr. Webber moved to amend by striking out the words "Sergeant-at-Arms W. O. Banks," and inserting "State Janitor J. Peterson."

Resolution, as amended, adopted.

By Mr. Wright:

Resolved, That Percy Hight, History Clerk of the Assembly, be and he is hereby allowed the sum of seventy-five dollars ($75) for the purpose of compiling and completing the Final History of the Assembly of this session. That the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Percy Hight for said sum of $75, and the State Treasurer is hereby directed to pay the same out of said fund.

Read, and referred to Committee on Ways and Means.

At three o'clock P. M., the Speaker called Speaker pro tem. Ralston to the chair.

REPORT OF COMMITTEE ON ATTACHÉS AND EMPLOYÉS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Attachés and Employés, to whom was referred the resolution of Committee on Attachés and Employés of February 14, 1901, reading as follows:

Resolved, That by and for reason of services rendered the Assembly by Chas. Davey, as porter, from January 11, 1901, to February 7, 1901, both days included, the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for $84, and the State Treasurer is hereby authorized to pay the same.

Respectfully recommend that the same be changed so as to read as follows:

Resolved, That by and for reason of services rendered the Assembly by Chas. Davey, as porter, from January 11, 1901, to February 28, 1901, both days included, the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly for sixty-three dollars ($63), and the State Treasurer is hereby authorized and directed to pay the same.

GEO. C. BROWN, Chairman.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bliss, Brady, Broughton, Brown of San Francisco, Carter, Chandler, Chiles, Collins, Cowan, Cromwell, Evatt, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Hanen, Henry, Higby, Hourigan, Irish, Irving, James, John, Knight, Knowland, Levinson, Macbeth, Mattos, McLoughlin, Melick, Merritt, Milice, Ralston, Reeber, Rutherford, Savage, Stewart of San Diego, Stewart of Amador, Sutro, Treadwell, Walker, Webber, Williams, Wright, and Mr. Speaker—51.

NOES—Messrs. Kincaid and Sheridan—2.

RESOLUTION.

By Mr. Foster:

Resolved, That W. C. Guirey be and he is hereby authorized and directed to remain after the adjournment of the Assembly and assist the Chief Clerk in the performance of his duties, and the Controller is hereby authorized and directed to immediately draw his warrant for $75 in favor of W. C. Guirey, payable out of the fund for the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

Read, and referred to Committee on Ways and Means.

MOTION.

Mr. Knowland moved that Senate messages be taken up for consideration.

So ordered.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, the following:

Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California for foreclosing State school lands in Napa County, State of California.

Also: Concurred in the Assembly free conference committee report on Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 758 and 783 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as cases of urgency, the following:

Assembly Bill No. 520—An Act to amend the Political Code by amending Section 2696 thereof, and by adding a new section thereto, to be numbered Section 2643*a*, relating to roads and highways

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1891.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Also: Refused passage to Assembly Bill No. 871—An Act to amend the Code of Civil Procedure of the State of California by adding thereto a new section, to be numbered 1319, providing for a contest of a will and procedure therein by the Public Administrator in cases where under the laws of the State of California a tax upon inheritances would be paid if the decedent should be adjudged to have died intestate; also, providing the grounds upon which and the time in which such contest may be made, providing for payment of the expense of such contest, and for the administration of the estate in certain cases arising out of such contest; also, providing for the dismissal of such contest.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 520, 61, and 561 ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Senate Free Conference Committee on Senate Bill No. 650—An Act to amend an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, by amending certain sections thereof, repealing certain other sections, and adding certain sections thereto—which was as follows:

Amend Section 30, line forty-seven, by correcting the spelling of last word, "population."

Also: Add to subdivision one, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also. Add to subdivision three, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also: Add to subdivision fifteen, Section 30, the words: "The provisions of this subdivision shall take effect immediately."

Also: Amend Section 26, page eighty, by inserting after the words and figures "Sec. 26," the following: "Section one hundred and seventy-nine (179) of an Act entitled 'An Act to establish a uniform system of county and township governments,' approved April 1, 1897, is hereby amended to read as follows:

"Section 179. In counties of the twenty-second class the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, to wit."

Also: Amend by striking out of Section 34, lines one hundred and forty, one hundred and forty-one, and one hundred and forty-two, page one hundred and two, the words: "This section shall take effect and be in force from and after January first, nineteen hundred and three."

Also: Amend by striking out of Section 32, page ninety-six, the words and figures following, in subdivision fifteen: "Each Supervisor, five dollars per day when the board is in session, not exceeding five hundred dollars per annum, and ten cents per mile for traveling to and from his residence to the county seat at each session, and unless otherwise provided by law, when serving as Road Commissioner, three dollars per day. But he shall not in any one year receive more than three hundred dollars for services as such Road Commissioner." and inserting the following:

"15. Each Supervisor, six hundred dollars per annum, and twenty cents per mile for traveling from his residence to and from the county seat, *provided*, such mileage shall not be allowed more than once a month; and for his services as Road Commissioner he shall receive twenty cents per mile, one way, for all distances actually and necessarily traveled by him in the performance of his duties, *provided*, he shall not in any one year receive more than three hundred dollars as such Road Commissioner."

Also: Amend by striking out of Section 33, line ten, the words "twenty-eight hundred," and inserting the following: "three thousand."

Also: By striking out of Section 33, lines twelve and thirteen, all after the word "annum," and inserting a period after the word "annum."

Also: By striking out of Section 33, line fourteen, the word "seven," and inserting the word "eight."

Also: By striking out of Section 33, line sixteen, the word "one," and inserting the word "two."

Also: Amend by inserting after the word "education," the words "including the secretary."

Also: Strike out all after the word "direction," in line seventy-eight, and insert the following: "and may require one of the official reporters to act as clerk or stenographer for such purpose, and in case any such reporter should refuse or be unable to attend, may employ a stenographer for that purpose at the same compensation allowed to stenographers of the Superior Court of the county, such amount to be deducted from the salary of the official reporter in default."

Also: Add after word "tried," line one hundred and fifty-nine, the following: "*provided, however*, that nothing herein contained shall prevent a magistrate from appointing a shorthand reporter, pursuant to the provisions of Section 869 of the Penal Code of the State of California, or affect the right of such reporter to compensation."

Also: Amend by striking out of Section 26, lines one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-nine, and two hundred.

Also: Amend Section 20 by striking out all of subdivision seventeen thereof, page sixty-four, lines ninety-four to one hundred and two, both inclusive, of printed bill.

Also: Amend by striking out of Section 10, page thirty-three, line one hundred and thirty-four, the word "city," and make "court" read "courts."

Also: Strike out in line twenty, page forty-seven, Section 15, the words "and one deputy at a salary of nine hundred dollars."

Also: Strike out of Section 15, line sixty-nine, page forty-eight, the words "one hundred," and insert in lieu thereof the word "ninety."

Also: Strike out of Section 15, line ninety, page forty-nine, the words "one hundred," and insert in lieu thereof the word "eighty-five."

Also: Strike out of Section 15, line one hundred and twenty-two, page fifty, the words "twelve hundred and fifty," and insert in lieu thereof the words "one thousand."

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to the following:

Senate Bill No. 562—An Act entitled an Act to amend "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," approved March 31, 1897, and to add a new section thereto, enlarging the powers of boards of directors of such districts.

Senate Bill No. 481—An Act to amend Sections 189 and 190 of an Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897.

Senate Bill No. 285—An Act to amend sections four (4), five (5), eight (8), ten (10), and twelve (12) of an Act approved March 29, 1897, entitled "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.'"

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Also: Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the "Industrial Home of Mechanical Trades for the Adult Blind."

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

Assembly Bills Nos. 267 and 272 ordered to enrollment.

RESOLUTION.

By Mr. Johnson:

Resolved, That the Controller of State is hereby directed to draw his warrant, in the sum of $70, on the Contingent Fund of the Assembly, and the Treasurer of State is hereby directed to pay the same out of said fund, in favor of the Whisky Hill Pure Water Company, for well water furnished the Assembly and its committee rooms, from January 6, 1901, to March 16, 1901, seventy days at $1 per day—$70.

Read, and referred to Committee on Ways and Means.

RECESS.

At three o'clock and twenty-five minutes P. M., on motion of Mr. Johnson, the Assembly took a recess until eight o'clock P. M.

REASSEMBLED.

At eight o'clock P. M., the Assembly reconvened.
Speaker Pendleton in the chair.
Quorum present.

MESSAGES FROM THE SENATE.

SENATE CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 24—Relative to Code Commission furnishing a complete set of amended codes.

Also: Senate Concurrent Resolution No. 10—Resolution welcoming to the State of California the International Convention of Epworth Leagues upon the occasion of its fifth biennial session. to be held in San Francisco, July 18 to 21, 1901.

Also: Senate Concurrent Resolution No. 11—Directing the State Printer to print thirty thousand copies of Concurrent Resolution No. 10, relative to welcoming the Epworth League International Convention to be held in San Francisco, July 18 to 21, 1901.

F. J. BRANDON, Secretary of Senate.
By F. C. MICHAELIS, Assistant Secretary.

CONSIDERATION OF SENATE CONCURRENT RESOLUTIONS.

SENATE CONCURRENT RESOLUTION No. 24.

Relative to Code Commission furnishing a complete set of amended codes.

Resolved, Senate and Assembly concurring, That the Code Commission be directed to purchase and to furnish to the Lieutenant-Governor, to each Senator and Assemblyman, and to the Speaker of the House and the Secretary of the Senate, a complete set of the codes passed at this session of the Legislature, after being printed and bound, and that the same be paid out of the printing fund now in the hands of said commission.

Senate Concurrent Resolution No. 24 read and adopted.

SENATE CONCURRENT RESOLUTION No. 10.

Resolution welcoming to the State of California the International Convention of Epworth Leagues upon the occasion of its fifth biennial session, to be held in San Francisco, July 18th to 21st, 1901.

WHEREAS, The fifth international convention of Epworth Leagues is to be held in the City of San Francisco, this State, July 18th to 21st, 1901; and

WHEREAS, The Epworth League is an organization of the young people of the Methodist Church, with an aggregate membership of two and one half millions of persons, located principally in the United States and Canada, and having societies in nearly all the different countries of the world, which organization has for its object the promotion of piety and loyalty to religion, education in the Bible and Christian literature, encouragement in works of charity, and right living among its members, and their development in upright citizenship; and

WHEREAS, At the previous biennial international conventions of the League, held in Eastern and Southern cities of the United States and in Canada, the attendance has reached as high as fifty thousand persons; and

WHEREAS, A large number of our citizens in public and private life have for nearly two years last past been devoting their time, labor, and funds in the promotion of this great convention, and will continue so to labor and devote their energies in this behalf, and will to the last, that the convention may be a success, and that the many thousands of visitors to California may be hospitably received; and

WHEREAS, By reason of the superior attractions offered by a trip to California, by reason of the prevailing good times, by reason of the prominence attained by California in Oriental affairs, and by reason of the extremely low rates for transportation to and from the State on account of this convention, agreed upon by the Railway Association of the United States, which rates are more favorable than those granted to the International Convention of Christian Endeavor of eighteen hundred and ninety-seven, with terms and provisions permitting holders of tickets to visit numerous points of interest in the State, and which rates of transportation are available to everybody whether members of the League or not, and by reason of the great success and unmarred pleasure attending the International Convention of Christian Endeavor of eighteen hundred and ninety-seven, and by reason of the world-wide fame of the State of California for unbounded hospitality, it is confidently expected by those who have in charge the arrangements for the coming convention that more than thirty-five thousand people will visit our State in July next; and

WHEREAS, It is meet and proper that the people of the State of California, represented in Senate and Assembly, should welcome to our splendid State the delegates to the convention of nineteen hundred and one, and their accompanying friends, and others drawn here upon this great occasion; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring therein, That the Legislature of the State of California, in its thirty-fourth session assembled, does hereby extend to the members of the Epworth League from all parts of the world, and their accompanying friends, a hearty greeting and a cordial welcome to our beloved State upon this, the occasion of their fifth biennial international convention, and assure them that we believe that much benefit will be derived by the people of our own State from the visit of those who will come within our borders at the time of this great gathering, and sincerely hope that much good will come to those who thus visit us. We assure

our intending visitors that they will find in the hearts of our people a sincere regard for, and an "earnest interest in that moral culture which is elevating and helpful to humanity," and among our citizens a deep-seated purpose to aid and encourage good works, and that in the homes of our people they will find the same reverence for God that characterizes true Christianity wherever found.

In this the opening year of the new century, the eyes of the entire world are turned toward the Orient. California and her great metropolis, San Francisco, command the approaches to the far east. With fifty years of statehood, forming a glorious past, California occupies a commanding position, with possibilities seldom equaled and never surpassed by any other State in the Union.

We point to our countless churches, our works of art, our scientific institutions and our splendid school system, crowned with our great State university, as evidences of our spiritual and intellectual progress. From the founding of the first mission at San Diego in 1769, by the Spanish Fathers, the progress of Christian teaching may be traced through the rude and now ruined missions, through the rough frontier churches and schoolhouses, to our great cathedrals and magnificent seats of learning of to-day. We point to the farms and orchards in our fertile valleys, to the mines of our productive hills, our great cities and our railways and waterways burdened with the commerce of the world, as evidences of our material prosperity. Our great ship-building plants, our factories, mills, and our varied industries demonstrate progress in the mechanical arts. The vast annual output of our gold mines; the enormous value of our cereal and fruit crops; the immensity of our wool, lumber, oil, and other industries, tell the story of the richness of our State. To an enjoyment of the riches and best products of our State we bid our visitors welcome. Within our borders they may luxuriate amid semi-tropical scenes of San Diego, Coronado, Pasadena, and Los Angeles; they may wander at will amid scenes of nature's grandeur found in the Yosemite Valley, Monterey, and elsewhere; and amidst the frozen fastnesses of Shasta's summit they may find solitude equal to that of the polar regions. In the great valleys and along the hills they will find scenes with vine and fig-tree setting, bringing to mind Italy, Palestine, and the East. In San Francisco and our other large cities will be found Oriental quarters that will offer opportunities to study the people of eastern nations in their own peculiar surroundings. To these and other points of interest and entertaining scenes we bid our visitors come. In the name of a million and a half of hospitable citizens, we bid them welcome to California.

Senate Concurrent Resolution No. 10 read and adopted.

SENATE CONCURRENT RESOLUTION NO. 11.

Directing the State Printer to print thirty thousand copies of Concurrent Resolution No. 10, relative to welcoming the Epworth League International Convention, to be held in San Francisco, July 18 to 21, 1901.

WHEREAS, There has been adopted Senate Concurrent Resolution No. 10, extending to the Epworth League a welcome to the State of California upon the occasion of their fifth biennial international convention, to be held in the City of San Francisco, July 18th to 21st, 1901; and

WHEREAS, It is believed to be for the best interests of the people of the State of California that a sufficient number of copies of said resolution be published in a 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 Senate, the Assembly 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 Senate Concurrent Resolution No. 10, relative to welcoming to the State of California, upon the occasion of their fifth biennial international convention, to be held in the city of San Francisco, July 18 to 21, 1901, the Epworth Leagues, 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 the use by the State Printer for this purpose. Such publication to be paid for out of the Contingent Funds of the Senate and the Assembly, one half from each fund, and the Controller is hereby authorized to draw a warrant for a sum not to exceed seven hundred and fifty ($750) dollars, in favor of the State Printer in payment therefor, and the Treasurer of State is hereby directed to pay the same, and that when completed the said copies of said 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 Epworth League Convention, San Francisco, twenty-nine thousand five hundred copies.

Senate Concurrent Resolution No. 11 read and adopted.

RESOLUTION.

By Mr. Fisk:

Resolved, That W. O. Banks, Sergeant-at-Arms of the Assembly, be allowed the sum of one hundred and fifteen dollars ($115) for hack hire, subpœnas, witness fees, and other

expenses appertaining to his office, and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in payment for the same, and the State Treasurer is hereby authorized and directed to pay the same.

Read and adopted.

REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred resolution by Mr. Wright, as follows:

Resolved, That Percy Hight, History Clerk of the Assembly, be and he is hereby allowed the sum of seventy-five dollars ($75.00) for the purpose of compiling and completing the Final History of the Assembly of this session; that the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly, in favor of Percy Hight for said sum of $75.00, and the State Treasurer is hereby directed to pay the same out of said fund.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted for the sum of fifty dollars ($50).

FISK, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following:

Resolved, That James E. Dye, First Assistant Enrolling Clerk, be and is hereby directed to remain at the Capitol for one week after the final adjournment of the Assembly, to assist in completing the work of the Enrolling Department, and he is hereby allowed the statutory per diem of $5 for such work, payable out of the Contingent Fund of the Assembly. The Controller is hereby directed to draw his warrant for said sum, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted.

FISK, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following:

Resolved, That W. C. Guirey be and he is hereby authorized and directed to remain after the adjournment of the Assembly and assist the Chief Clerk in the performance of his duties; and the Controller is hereby authorized and directed to immediately draw his warrant for $75 in favor of W. C. Guirey, payable out of the fund for the contingent expenses of the Assembly, and the Treasurer is hereby directed to pay the same.

Have had the same under consideration, and respectfully report the same back, and recommend that it be adopted for twenty-five dollars ($25).

FISK, Chairman.

Report and resolution adopted.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred the following:

Resolved, That R. N. Smith be and he is hereby continued as messenger to the State Printer after adjournment of the Assembly until the work at the desk is finished, and that the Controller be and he is hereby directed to draw his warrant on the State Treasurer for the sum of $35 in favor of R. N. Smith, and the State Treasurer is hereby authorized to pay the same 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.

FISK, Chairman.

Report and resolution adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 761—An Act to provide for the appointment of policemen, with the powers of peace officers, to serve upon the premises, cars, or boats of railroad and steamship companies.

Assembly Bill No. 832—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, and all Acts supplementary thereto or amendatory thereof, including an Act entitled "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," approved March 31, 1897.

Assembly Bill No. 625—An Act to amend the Penal Code of the State of California, relating to the preservation of game, and to create a Game Preservation Fund, and to appropriate the moneys in said fund.

Assembly Bill No. 227—An Act amending Section 1109 of the Penal Code of the State of California, relating to evidence on a trial for selling, furnishing, etc., lottery tickets.

Assembly Bill No. 815—An Act to add a new section to the Act entitled "An Act to establish a uniform system of county and township governments," approved April 1, 1897, which new section shall be designated 214½; being a section creating the office of matron of the county jail in and for the counties of the first, second, third, fourth, and fifth classes; defining the duties and powers, and fixing the term of office and compensation of, and providing for the appointment of, and the giving of official bond by, such matron.

Assembly Bill No. 302—An Act to add a new section to the Penal Code of California, to be known and numbered as Section 625½ of said code, in relation to the plugging of water-producing wells or holes, drilled or otherwise made, in territory producing oil or similar carbonic substances.

And were presented to the Governor this day at —— o'clock and —— minutes — M.

G. H. ANDERSON, Acting Chairman.

RESOLUTIONS.

By Mr. Duryea:

Resolved, That Miss E. R. Houghton, stenographer to the Democratic Minority, be and she is hereby allowed the sum of sixty dollars ($60.00) out of the Assembly Contingent Fund, for extra services rendered during this the thirty-fourth session of the California Legislature; and the Controller is hereby authorized and directed to draw his warrant on said fund in favor of said person for said amount, and the Treasurer is hereby authorized and directed to pay the same.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anderson of Solano, Anderson of Santa Clara, Atherton, Barnes, Bennink, Berry, Bliss, Brady, Broughton, Brown of San Francisco, Brown of San Mateo, Carter, Chiles, Clarke, Collins, Cowan, Cromwell, Dunlap, Duryea, Feliz, Fisk, Foster, Gans, Greer, Guilfoyle, Haley, Hanen, Hasson, Higby, Hourigan, Irving, James, Johnson, John, Kelley, Kincaid, Knight, Knowland, Laird, Levinson, Macbeth, Mattos, McLoughlin, McWade, Melick, Miller, Ralston, Ray, Reeber, Rutherford, Savage, Schillig, Sheridan, Simpson, Stewart of San Diego, Sutro, Treadwell, Walker, Webber, Williams, and Mr. Speaker—61.

NOES—None.

By Mr. Duryea:

Resolved, That the following named Bill Clerks, to wit: W. Robinson, Rolla Fuller, C. W. Curtis, F. T. Bartlett, and F. B. Grant, be and they are hereby each allowed the sum of twenty-five dollars ($25) out of the Assembly Contingent Fund, for extra services rendered during this the thirty-fourth session of the California Legislature; and the Controller is hereby authorized and directed to draw his warrants on said fund in favor of each of said persons for said amount, and the Treasurer is hereby directed to pay the same.

Resolution lost.

By Mr. Kelley:

Resolved, That the Controller of State be and he hereby is directed to draw his warrant on the Contingent Fund of the Assembly, and the Treasurer of State is hereby directed to pay the same out of said fund, in favor of F. J. Sweeney, for sixty dollars ($60), for extra services rendered by said Sweeney as Sergeant-at-Arms of the Judiciary Committee, in which position he also acted as Sergeant-at-Arms of the Committee on Public Printing.

Resolution read and adopted.

At nine o'clock and thirty-five minutes P. M., the Speaker called Mr. Dunlap to the chair.

By Mr. Anderson of Solano:

Resolved, That the Assembly hereby thanks each and every representative of the daily press, representing their papers on the floor of the Assembly, for the full, fair, courteous, and complete manner in which they have reported the various transactions of the House, to their respective papers; be it further

Resolved, That these resolutions be spread upon the Journal of this day's proceedings of the Assembly.

Resolution adopted.

At ten o'clock and twenty minutes P. M., the Speaker resumed the chair.

At ten o'clock and forty minutes P. M., the Speaker called Mr. Brady to the chair.

At eleven o'clock and ten minutes P. M., the Speaker resumed the chair.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1901.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that the following bills have been correctly enrolled:

Assembly Bill No. 740—An Act to regulate the practice of architecture.

Assembly Bill No. 804—An Act to amend Section 382 of the Penal Code.

Assembly Bill No. 758—An Act to amend Section 362 of the Civil Code.

Assembly Bill No. 783—An Act making an appropriation to pay the claim of Theo. A. Bell, District Attorney of Napa County, California, for moneys expended in behalf of the State of California, for foreclosing State school lands in Napa County, State of California.

Assembly Bill No. 520—An Act to provide for the protection and preservation of public highways and property adjacent thereto from damage by storm water and floods, and to authorize the formation of districts and the levy of taxes therein, and to authorize the expenditure of public moneys and the exercise of the rights of eminent domain for such purposes, and to repeal an Act entitled "An Act to provide for the protection and preservation of public highways from damage by storm water and floods, and to authorize the expenditure of public moneys for the purposes thereof," approved April 1, 1897.

Assembly Bill No. 61—An Act to add a new section to the Political Code, to be known as Section 1890.

Assembly Bill No. 561—An Act to amend Section 2651 of the Political Code, relating to a general road fund.

Assembly Bill No. 267—An Act appropriating money for the maintenance and improvement of the water system at the Preston School of Industry, including the construction of a settling reservoir.

Assembly Bill No. 272—An Act making an appropriation for the erection of a workshop at the home of the "Industrial Home of Mechanical Trades for the Adult Blind."

Assembly Bill No. 330—An Act to amend Sections 4, 5, 8, 10, and 12 of an Act approved March 29, 1897, entitled "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.'"

And were presented to the Governor this day, at nine o'clock and nineteen minutes P. M.

G. H. ANDERSON, Acting Chairman.

MOTION.

Mr. Fisk moved that a committee of three be appointed to wait upon the Governor and inform him that the Assembly is about to adjourn and ask if he has any further communications to make to the Assembly.

So ordered.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Fisk, Johnson, and James as such committee to wait upon the Governor.

MOTION.

Mr. Anderson of Solano moved that the Speaker appoint a committee of three to wait upon the Senate and inform that body that the Assembly is ready to adjourn and ask if the Senate has any further communication to make to the Assembly.

APPOINTMENT OF COMMITTEE.

The Speaker appointed Messrs. Anderson of Solano, Treadwell, and Laird as a committee to wait upon the Senate, as per motion of Mr. Anderson of Solano.

REPORT OF COMMITTEE.

The committee consisting of Messrs. Fisk, Johnson, and James reported that they had waited upon the Governor, and that he had a communication to make to the Assembly, which he would immediately transmit.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, March 16, 1901.

To the Assembly of the State of California:

The labors of your honorable body being nearly completed, I beg leave to express my deep appreciation for your uniform courtesy toward me, and your earnest cooperation, irrespective of party, in the legislative work of this session; and I sincerely trust that the zealous and commendable efforts which have characterized the members of your honorable body may receive their reward, not only in the praise of your constituents, but in the satisfied consciousness of duty well and faithfully performed.

HENRY T. GAGE,
Governor of the State of California.

REPORT OF COMMITTEE.

The committee, consisting of Messrs. Anderson of Solano, Treadwell, and Laird, 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.

RESOLUTIONS.

By Mr. Sheridan:

Resolved, That the thanks of the Assembly be tendered to the Hon. C. W. Pendleton, Speaker of the Assembly, for the signal courtesy, ability, and impartiality with which he has presided over its deliberations during this the thirty-fourth session of the Legislature.

Resolution adopted.

By Mr. Carter:

Resolved, That this Assembly hereby tender its thanks to Hon. W. C. Ralston for his services in presiding over the Assembly as Speaker pro tem., and hereby expresses its appreciation of his able, fair, and impartial rulings while presiding as Speaker.

Resolution adopted.

COMMITTEE FROM THE SENATE.

A committee from the Senate, consisting of Senators Belshaw, Davis, and Curtin, appeared at the bar of the Assembly, with the information that the Senate was ready to adjourn.

REMARKS BY THE SPEAKER.

Speaker Pendleton delivered the following remarks:

Gentlemen of the Assembly:

The time for the adjournment of the thirty-fourth session of the Legislature of the State of California, in accordance with its concurrent resolution to that end, is almost at hand; and before sounding the gavel for the last time upon your deliberations, permit me to say a few words in parting.

To the members of the prevailing political party who conferred upon me the distinguished honor of electing me as your Speaker, I again desire to express my sincere

thanks and the hope that there is no feeling among you indicating that your confidence has been misplaced.

To the standing committees whose selection was made after careful deliberation, I wish to express my great satisfaction at the evident care and attention which were given their work, and the general good results accomplished. If any fault is to be found or any errors have been committed by them, I cheerfully assume all the responsibility.

I will not attempt to review your work in detail, but I am impelled to congratulate you all upon the fact that in the short space of time that has been allotted to us the result of the six years of labor spent by the Commission for the Revision and Reform of the Law has been thoroughly reviewed, with the result that we have now completed and in effect the three codes, passed by both branches of this Legislature. Too much praise cannot be given to the joint committee that assumed the charge of this work.

You have complied with the constitutional provision relating to reapportionment, and while the law resulting therefrom may not be entirely satisfactory to you all, still the State at large is to be congratulated, and we can congratulate ourselves upon the fact that so little friction was manifested in its passage, and that any sore spots which may have been inflicted have entirely healed, and that there now exists among you the best of feeling and good fellowship.

Another cause for congratulation is the fact that this Legislature, after providing for the pressing and actual needs of all the State institutions, has succeeded in reducing the tax levy to the smallest sum ever levied by any Legislature that has convened at its capital within the history of the State, which fact alone should place this Legislature on a high plane in the estimation of the people, by whose votes we were selected.

Other causes for congratulation suggest themselves to me, but for lack of time I will not present them, but will merely say that you can return to your people with the assurance of a duty well and honorably performed.

I extend to you one and all my heartfelt thanks for the uniform courtesy, support, and sympathy that I have received on all sides, and the spirit with which you have overlooked acts of mine which may at times have appeared arbitrary and unjust. No man is perfect; we are all liable to err, it is only human; but accept from me the assurance that at all times I have endeavored to be fair and just to all, and yet expedite the business of the Assembly with the least possible loss of valuable time. How well I have succeeded rests for you to decide. I realize that you will be charitable. The position which I have occupied is one attended with care, labor, responsibility, and vexation, and it would be indeed strange if one man could so harmonize every difference that arose, and so settle every disputed point, as to leave the impression in the minds of all that no wrong or injustice has been done.

The time has come for us to part. Some of us undoubtedly will meet again, some never, but our recollection will ever remain, and in the years to come it is my earnest hope that your remembrance of the Speaker of the thirty-fourth session will at least be kind, and your judgment upon his actions charitable. Personally, I have no wrongs to remember, no known injuries to repair, and my remembrance of every member will be filled with kindness and respect.

APPROVAL OF MINUTES.

The minutes of Saturday, March 16, 1901, were read and approved.

PRAYER.

Prayer by the Chaplain, Rev. C. P. Wilson.

ADJOURNMENT SINE DIE.

At twelve o'clock P. M., the Speaker delivered a valedictory, at the conclusion of which he declared the Assembly adjourned *sine die*.

C. W. PENDLETON,
Speaker.

CLIO LLOYD,
Chief Clerk.

W. C. RALSTON,
Speaker pro tem.

R. Q. WICKHAM,
Minute Clerk.

R. L. DEMPSEY,
Journal Clerk.