SACRAMENTO DAILY RECORD-UNION.

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DAILY RECORD SERIES—VOL. XVI—NO. 7479.

SACRAMENTO, THURSDAY MORNING, JANUARY 8, 1880.

DAILY RECORD-UNION SERIES.
VOLUME 10—NUMBER 119.

THE DAILY RECORD-UNION.

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THE DAILY RECORD-UNION

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[Published in semi-weekly parts],

Is issued on Wednesday and Saturday of each week, comprising Eight Pages in each issue, or Sixteen Pages each week, and is the cheapest and most desirable Home, News and Literary Journal published on the Pacific coast.

Terms, One Year $2 00

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Advertisements of five lines in this department are inserted for 25 cents for one time; three times for 50 cents or 75 cents per week.

ESTRAYED—SOME TIME SATURday Night, one BAY MARE, with white stripe in forehead, weighs about 1,100 pounds; one BROWN HORSE, with rope on neck and fast to front foot, knee sprung, weight about 900 pounds; one DARK SORREL MARE, about same weight, with head halter and rope. Both Sorrel and Brown Horse shod all round; the Bay Mare has no shoes on. A suitable reward will be paid for the return of the above horses.
JOS. MELLEN.
East Park, January 6, 1880. ja7-3t

STRAYED—SUNDAY, JANUARY 4th, a Small Black and Tan SLUT, with very long ears, and answers to the name of "Birdie." A suitable reward will be given on returning to Room 22, Dewitt House, northwest corner Third and J streets. ja7-3t

$1,000 REWARD.

THE UNDERSIGNED WILL GIVE ($1,000) One Thousand Dollars Reward for the arrest and conviction of the person or persons who attempted the assassination of James Skinner at his residence at Green Valley, El Dorado county, Cal., on the night of December 11, 1879.
JAMES SKINNER.
Green Valley, December 17, 1879. d18-1m

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Advertisements of five lines in this department are inserted for 25 cents for one time; three times for 50 cents or 75 cents per week.

TO LET—A SUITE OF FURNISHED ROOMS, at reasonable rate. Apply at No. 608 J street, between Sixth and Seventh. ja7-tf

TO LET—ONE HANDSOME SUITE OF ROOMS at the Howard House, K street, between Front and Second. ja6-1w

FURNISHED HOUSE TO LET, NO. 1213 Ninth, between L and M streets; during the Legislature, with gas and water. ja1-1w*

FOR SALE—THE ENGINE, BOILER AND other machinery used in the California Carriage Factory. Good as new. Will be sold at less than 50 per cent. of first cost. Apply to
d12-tf THOMAS J CLUNIE, Sacramento.

FURNISHED ROOMS TO LET, IN SUITS OR single, with or without board, at No. 922 M street, between Ninth and Tenth (near State Capitol). d11-tf

FURNISHED ROOMS TO LET—PLEASANT, quiet, home-like rooms, neatly furnished. To rent by the day, week or month, at prices that cannot fail to give satisfaction. Northwest corner Third and J. Entrances on J street, and on Third, between J and I streets. MRS. TEN EYCK. d10-tf

STORE FOR SALE.

THE STOCK AND FIXTURES of a Hardware, Tinware and Agricultural Implement Store, in the town of Chico, is offered for sale at a bargain to close the business. To a responsible party a good opportunity is offered to obtain control of an old established business at a very low figure. Capital required, $4,000 or $5,000.

Address W. J. BLACKWELL, Chico; or M. C. HAWLEY & CO., Sacramento, or San Francisco. ja5-1plm

DENTISTRY.

W. WOOD,

DENTIST (LATE WITH H. H. PIERson), successor to T. B. Reid, No. 317 J street, between Third and Fourth. Artificial Teeth Inserted on all bases. Improved Liquid Nitrous Oxide Gas, for the Painless Extraction of Teeth. d24-tf

DENTAL DEPOT:

MASONIC TEMPLE, COR. SIXTH and K streets.

W. O. THRAILKILL, D. D. S., Editor and Publisher of the Dental *Jairus*, a Monthly Journal of Dental Science. d18-1ptf

B. B. BREWER,

DENTIST, SOUTHWEST CORNER OF Seventh and J streets, in Bryte's new building, up stairs. Teeth extracted without pain by use of Improved Liquid Nitrous Oxide Gas d16-1plm

H. H. PIERSON,

DENTIST 415 J STREET, BETWEEN Fourth and Fifth, Sacramento. Artificial Teeth inserted on Gold, Vulcanite and all bases. Nitrous Oxide or Laughing Gas administered for the painless extraction of Teeth. d14-1m

F. F. TEBBETS,

DENTIST, 155 J STREET, BETWEEN Fifth and Sixth, Sacramento. Artificial Teeth inserted on Gold and all bases. Nitrous Oxide or Laughing Gas administered for the painless extraction of teeth. d13-1m

WATCHES, CLOCKS, JEWELRY

J. HYMAN, JR.,

WATCHMAKER AND JEWELER, NO. 136 J street, between Fifth and Sixth. Just received, a very fine lot of Watches and Jewelry, which will be sold at a very low price. Watches and Jewelry carefully repaired. ja7-1m1p

WILLIAM B. MILLER

(Late with Floberg),

NO. 190 J STREET, NEAR SEVENTH, Watchmaker and Jeweler. Importer and dealer in Watches, Silverware, Jewelry, Etc. Repairing a specialty, under Robert Marsh. All country orders promptly attended to. d29-1ptf

JOHN CONRAD,

DEALER IN WATCHES, CLOCKS, JEWELRY, Etc., 113 J street (opposite Kirk & Co.'s). All Watches and Clocks sold in my establishment warranted. Repairing Clocks and Watches my specialty. d3-1ptf

J. B. KLUNE

(Late with Wachhorst, and successor to Floberg),

WATCHMAKER AND JEWELER, NO. 60 J street, between Second and Third. Dealer in Watches, Clocks, Silverware, Jewelry, Etc. Repairing in all its branches a specialty, under Mr. FLOBERG. o10-1plm

MISCELLANEOUS.

CHICKERING & SONS'

PIANOS!

No. 246 J Street ..... Sacramento.

New Warerooms No. 31 Post street,

Mechanics' Institute building ..... SAN FRANCISCO.

L. K. HAMMER,

SOLE AGENT FOR THE PACIFIC COAST.

Pianos sold on installments, if desired, and for rent. Old instruments taken in exchange for new. Orders for tuning carefully attended to. d20-1p1m

PENSIONS, BOUNTY AND ARREARS!

Attention given to Land Claims, Soldiers' Bounty and Pension Claims.

P. J. HOPPER,

ATTORNEY-AT-LAW AND NOTARY PUBLIC, U. S. Land Office Building, Sacramento. d20-1ptf

THE MECHANICS' STORE.

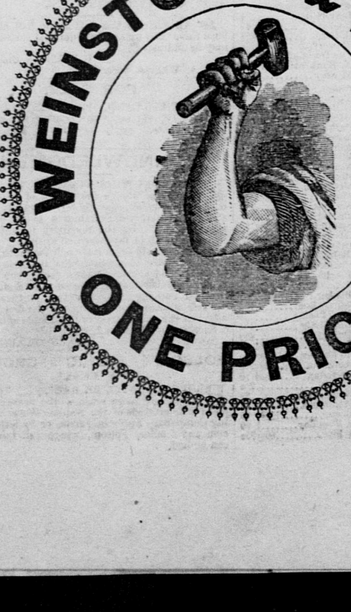
DURING THE WINTER MONTHS,

From and after the 1st of JANUARY, 1880,

WE WILL CLOSE AT 7 P. M.,

Saturdays and Pay Days at the Railroad Shops excepted.

WEINSTOCK & LUBIN.



PEOPLE'S STORE.

PEOPLE'S STORE!

"NO FRIENDSHIP IN TRADE"

No truer axiom has ever been repeated, and comes home with more telling truth than the words quoted as above. The masses who have Cash in hand will go where they can buy the cheapest.

When people, pinched with hard times, and whose Cash is light, see these matchless prices that appeal at once to their own interests, they seek to know WHY and HOW we have gained such mastery over all our competitors. We are ready and willing to tell the secret, for it is no hidden truth:

We Sell Only for Cash!

We have no thousands of dollars idling and rotting in a musty ledger, locked at night in brass-bound safes. No accounts ready to give to the Constable, for fear of their being outlawed. No Collectors running after you, day and night, pursuing you, as a housebreaker or a villain; but for every article we sell we obtain CASH DOWN—ready at a moment's notice to take advantage of any bargain that requires the SOLID CASH.

Purchased FOR CASH at a Closing Sale,

A choice lot of Imported European

CLOAKS AND DOLMANS!

COMPRISING:

50

Beaver Cloaks at $5 Each.

DESCRIPTION—Pockets and Cuffs trimmed with Satin and Whalebone Fringe; Arabian braid, with Jet Ornaments.

61

Beaver Cloaks at $6 Each.

DESCRIPTION—Maltese Binding and Jet Ornaments up the back; Gothic Scalloped Cuffs, and Pockets edged with Satin.

33

Black Beaver Cloaks at $6 50.

DESCRIPTION—Arabian binding up the back; finished with Whalebone Ornaments; Pockets and Cuffs trimmed in Silk, Velvet and Bullion Fringe, edged with Satin.

12

Better Quality Beaver at $7 50.

(Trimmed same as above.)

42

Castor Beaver Cloaks at $9 50.

DESCRIPTION—Elegantly trimmed with Pekin Striped Satin, and Heavy Whalebone Fringe, with Ornaments.

15

Beaver Cloaks at $10 Each

DESCRIPTION—Magnificently trimmed, in 2 inch folds of Satin down the back, finished with ornaments; Cuffs and Pockets trimmed with bands of Velvet and Satin, and Superb Whalebone Fringe.

☞ **The above description is given for those living at a distance, so that in ordering a fair idea of our Goods is obtained.**

One Hundred other styles always on hand, and every Cloak a bargain and an advertisement for our house.

WE HAVE ALSO A CHOICE LOT OF

DRESS GOODS!

1 Case, 1¼ yards wide, [Bourettes (all colors), at 25 cents a yard; good value at 75 cents
20 Pieces Fancy Novelties, at ..... 12½ cents
16 Pieces Mixed Novelties, at ..... 19½ cents
40 Pieces Silk Striped Plaids, at ..... 25 cents
10 Pieces 40-in. Colored Cashmeres, at ..... 48 cents

☞ Samples sent on application. Address: "SAMPLE DEPARTMENT,"

PEOPLE'S STORE,

No. 600 J STREET,

Southeast Corner Sixth ..... Sacramento
o1-1ptf TuThS

CALIFORNIA LEGISLATURE.

TWENTY-THIRD SESSION.

THIRD DAY.

[Phonographically Reported for the RECORD-UNION by Willis & Stockton.

SENATE.

SACRAMENTO, Wednesday, January 7, 1880.

The Senate met pursuant to adjournment, Lieutenant-Governor Johnson in the chair.

Roll called and a quorum present.

The LIEUTENANT-GOVERNOR—I will inquire of the Senate whether they desire to go through the regular order of business under the rules?

Mr. ENOS—I move that we suspend the regular order of business.

The LIEUTENANT-GOVERNOR—If there be no objection the rules will be considered suspended. The Secretary will read the Journal of yesterday.

Journal of yesterday read and approved.

AN EXCUSE.

Mr. JOHNSTON—I desire to inform the Senate that it will be impossible for me to attend to the duties assigned me yesterday on the Committee of Arrangements for the inauguration, and ask to be excused from service on that committee.

The LIEUTENANT GOVERNOR—What is the pleasure of the Senate?

Mr. DICKINSON—I would state that the committee has had no meeting, as the Assembly has not yet appointed its share of the committee. I would ask the gentleman, as he resides here, to remain on the committee.

Mr. JOHNSTON—I understand that arrangements are being made to have the inauguration to-morrow, and it will be impossible for me to attend to the duties at that time.

The LIEUTENANT-GOVERNOR—Will the Senate excuse the Senator from serving?

The question was put and the Senate refused to excuse Senator Johnston, on a division, by a very decided negative vote.

RESOLUTIONS ADOPTED.

Mr. JOHNSTON—I move to take from the table the resolutions appointing a Watchman for the gallery, a Night Watchman and a Mail Carrier.

The LIEUTENANT-GOVERNOR—If there be no objection these resolutions will be taken up and acted upon in the order in which they were introduced.

The Secretary read the following resolution offered by Mr. Cheney:

Resolved, That P. A. Bell be and he hereby is appointed Watchman, to have charge of the gallery, at a per diem of four dollars, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

The Secretary read the following resolution offered by Mr. Brown:

Resolved, That the Sergeant-at-Arms be empowered to appoint two Gatekeepers, one for each side of the Senate Chamber, at a per diem hereafter to be fixed by the Senate.

Mr. JOHNSON—I move that it lie on the table.

The motion prevailed.

The Secretary read the following resolution offered by Mr. Cheney:

Resolved, That J. W. Johnston be and hereby is appointed Mail Carrier of the Senate, at a per diem to be hereafter fixed, payable out of the appropriation for the contingent expenses of the Senate.

Mr. JOHNSON—I move to amend by making it three dollars a day.

The amendment was carried, and the resolution as amended adopted.

The Secretary read the following resolution offered by Mr. Dickinson:

Resolved, That B. Cavanaugh be and he hereby is appointed Night Watchman, at a per diem to be hereafter fixed, payable out of the appropriation for the contingent expenses of the Senate.

Mr. JOHNSON—I move to amend by inserting a per diem of four dollars, the same as the Watchman in the gallery.

The amendment was carried, and the resolution as amended was adopted.

NEW RESOLUTIONS.

By Mr. ENOS—*Resolved*, That the Secretary be empowered to order such printing as may be necessary for the business of the Senate.

Adopted.

By Mr. ENOS—*Resolved*, That the President be and he is hereby authorized to appoint a Page, whose duty it shall be to attend upon the desk of the President, such Page to be paid the sum of three dollars per diem, payable out of the appropriation for the contingent expenses of the Senate.

Adopted.

NO NEWSPAPERS.

Mr. PARDEE called up the following resolution offered by him yesterday:

Resolved, That the Sergeant-at-Arms be directed to furnish each member of the Senate with five daily papers published in the State, or their equivalent in weeklies.

Mr. SATTERWHITE—This Senate, Mr. President, cannot adopt such a resolution as that. Heretofore it has been the custom of each house to adopt a resolution of that kind, for postage stamps, newspapers, etc. The Constitution that we are now working under puts an end to that little business. It provides that the members of the Legislature shall receive a per diem of not exceeding eight dollars, ten cents a mile, and twenty-five dollars for contingent expenses. It is very evident that the twenty-five dollars for contingent expenses covers this subject, and that it was intended that the members should pay their postage stamps, and pay for their newspapers out of the twenty-five dollars; so I, as one member of this body, would prefer to draw the twenty-five dollars on the Controller's warrant, and pay for my own postage stamps and newspapers, and like a great many others will say of a great many measures that will come before this body this winter—"this resolution, in my humble judgment, is unconstitutional."

The resolution was lost.

By Mr. KANE—*Resolved*, That the stationery, stamps and newspapers which the Senate may receive shall be charged to them, the Senators, and that the same shall not exceed the sum of twenty-five dollars.

Mr. SATTERWHITE—I am opposed to that resolution. We can bring in an amendment to the Political Code here, allowing each member twenty-five dollars for contingent expenses in accordance with the provisions of the Constitution. Now when that bill is passed and the Political Code amended accordingly, we can draw our warrant and go to any stationery store and buy what we want. This will save trouble to the Sergeant-at-Arms and to the members, and I think we ought to adopt that course.

Mr. KANE—I accept the amendment.

Mr. JOHNSON—I think the best way to settle this matter is to let the whole subject matter lay over a little, and be referred to the Committee on Contingent Expenses, when appointed. Then we can see whether we can have these papers or not. As far as I am individually concerned, I am exceedingly anxious to have newspapers, and I believe that the State of California is richer and better able to pay for them than I am. Therefore I shall at the proper time vote for such a resolution. I move that this whole matter of furnishing stationery, postage stamps and newspapers be referred to the Committee on Contingent Expenses, when appointed.

Mr. KANE—I am willing to allow it to lay on the table temporarily.

So ordered.

PAPER-FOLDERS.

By Mr. ENOS—*Resolved*, That Auguste Rose be and he is hereby appointed paper-folder of the Senate, at a per diem of three dollars, payable out of the contingent expenses of the Senate.

Mr. ENOS—The young man named in that resolution is the main support of a poor old blind father, and I hope that the Senate will appoint him paper-folder.

Mr. SATTERWHITE—I do not think we can appoint a paper-folder by resolution, because the Political Code provides that the Postmaster shall also be paper-folder.

Mr. BAKER—And it further provides that he shall perform that service without additional compensation. I move it be indefinitely postponed.

The motion prevailed.

By Mr. ENOS—*Resolved*, That the Secretary of State be and is hereby requested to place upon the desk of each Senator a copy of the old and new Constitutions.

Mr. SATTERWHITE—The State Librarian informs me that he has one hundred and fifty copies of the new Constitution on hand, and can accommodate members if they will call, and the old Constitution, I believe, is printed in the Statutes and in the Codes, and can be got at, so it is unnecessary to print any more copies of the new Constitution, as the State Librarian has them.

Mr. ENOS—I withdraw the resolution.

JOINT CONVENTION.

Mr. DICKINSON—I move that a message be sent to the House, asking them whether they will be ready to meet in Joint Convention at 12 o'clock, in accordance with the joint resolution adopted yesterday.

After a brief interval, the Lieutenant-Governor stated that the Secretary of the Senate had appeared at the bar of the Assembly and stated the substance of the above motion, and returned with the report that the House would be ready to receive the Senate at 12 o'clock.

Mr. SATTERWHITE—I do not know what the arrangements are, but I suppose the intention is to meet in joint convention, so that the Governor and Lieutenant-Governor may take the oath of office. The inauguration ceremonies are not prepared, so far as I am informed. The custom heretofore has been that the Governor and Lieutenant-Governor appeared before the joint convention and took the oath, and then we would adjourn out in front somewhere and hear the Governor's inaugural, and the whole inaugural ceremonies take place immediately following the joint convention. Now, if we go into joint convention, and the Governor and Lieutenant-Governor appear there, I suppose we will separate the ceremonies from those that are to take place afterwards. I do not know why we should not wait until we are ready to go through the whole inaugural ceremony.

The LIEUTENANT-GOVERNOR—The Chair will state that the two houses passed a resolution on yesterday deciding that they would meet in joint convention to-day to count the votes.

Mr. DICKINSON—I will state farther that the Constitution requires that the votes for these two offices be canvassed in the presence of the two houses.

Mr. JOHNSON—I understand that all that is required under the Constitution is to meet in joint convention and have the returns opened by the Speaker and the result declared, and then declare who has been elected Governor and Lieutenant-Governor. The inaugural ceremonies can then take place whenever the committee have perfected the arrangement.

LIEUTENANT-GOVERNOR LOST.

The LIEUTENANT-GOVERNOR—The Chair will state that we can meet in joint convention, the Speaker can open and count the vote, and announce the result, and administer the oath to the Governor and Lieutenant-Governor-elect. They can be inaugurated or inducted into their offices at any other time. It will not make any difference whether the inauguration ceremonies take place to-day or any other time. It has been the custom, as Senator Satterwhite says, after the Governor has taken the oath of office, to adjourn the joint convention sine die, and move in a body out to the platform. Of course, after we have canvassed the votes, and the oath has been administered to-day, we need not adjourn the joint conventions sine die unless we choose; we can adjourn until to-morrow, and meet again in joint convention on to-morrow, and then move out to the platform in a body. Of course we can return to this body to-day and inaugurate the Lieutenant-Governor immediately after the adjournment of the Joint Convention, or we can let him wait, and inaugurate him after the Governor has been inaugurated, as is usual. I recollect two years ago the Lieutenant-Governor was inaugurated some time after the Governor, for the reason that the Senate had adjourned over when it went in to meet in Joint Convention, and the Joint Convention adjourned *sine die*. The result was that nobody paid any attention to the Lieutenant Governor, and he got lost, and was found a few days afterwards wandering about a tunnel somewhere under the Capitol building, and was picked up and inaugurated by accident. I believe the President pro tem. elect, Mr. Tuttle or Mr. Lewis—I have forgotten now which—took a notion that there was some work to be done that ought to be done by the Lieutenant-Governor, and went out and searched about, and found him somewhere down under the Capitol, and brought him up to the chair. I hope we will keep this business in such order this time that the Lieutenant-Governor-elect will be inaugurated in a manner becoming that high office.

Mr. SATTERWHITE—There is one thing the Chair has forgotten to state, and that is, that when we found him, unlike the present speaker, he stated that he had left his written speech down to the hotel, and he proceeded to make an off-hand speech in place of it.

THE TEMPORARY OFFICERS.

Mr. WATSON, from the special committee appointed to ascertain the amount due to the temporary officers, reported the following sums: Lieutenant-Governor Johnson, mileage $14 40, per diem $32—$46 40; Secretary Shoemaker, mileage $12 60, per diem $24—$36 60; Minute Clerk Newton Bendict, mileage $13 65, per diem $24—$37 65; Sergeant-at-Arms T. J. Sherwood, mileage $7 80, per diem $24—$31 80.

Mr. WATSON—I wish to state on the part of the committee that we were in doubt about the salary to be paid to the Lieutenant-Governor. I am informed by one member that it is $8 a day, and by another that it is $12 a day. We put it at $8, and the Senate can do as it sees fit. We also find that the law only provides for the assistance of the officers named there. There have been other officers appointed by the Lieutenant-Governor who served one day, and we concluded to leave it to the sense of the Senate whether we should pay them or not.

Mr. JOHNSTON—I understand that the per diem of the Lieutenant-Governor has not been fixed. The Constitution provides that the per diem of the Lieutenant-Governor shall be the same as the Speaker, and that has not been fixed.

Mr. DICKINSON—As I understand the pay of Senators shall not exceed the sum of eight dollars per day, and the presiding officer shall receive the same per diem as other Senators.

Mr SATTERWHITE—The Constitution we are now acting under provides that the pay of members of the Legislature shall not exceed eight dollars a day. My construction of the Constitution is, that the Speaker of the Assembly is a member of the Legislature and he cannot receive more than eight dollars a day. There is no special provision, that I have seen, where the per diem of the Speaker shall be fixed. As a member of the Legislature he cannot receive a sum exceeding eight dollars. Now the Lieutenant-Governor's pay being the same as the Speaker of the Assembly, it cannot exceed eight dollars a day. If the Senator from Sacramento, Mr. Johnston, will point out any provision in the Constitution where it provides that the Speaker shall receive a per diem fixed by law, I would like to see it. It has escaped my memory.

THE PRESIDENT'S PAY.

Mr. MORELAND—Section 267 of the Political Code fixes the amount of pay of the Speaker. The President pro tem. of the Senate, and the Speaker and Speaker pro tem. of the Assembly, each receive twelve dollars per day during the session of the Legislature. This is already fixed by law. Under the Constitution I think the Speaker and Lieutenant-Governor would be entitled to twelve dollars per day at the present time. Section 19 of Article V. says that the "Lieutenant-Governor shall receive the same per diem as may be provided by law for the Speaker of the Assembly, to be allowed only during the session of the Legislature."

Mr. SATTERWHITE—I think that is so.

Mr. CHASE—Section 23 of article 4 is very plain and conclusive: "Members of the Legislature shall receive for their services a per diem and mileage to be fixed by law, and paid out of the public treasury; such per diem shall not exceed eight dollars, and such mileage shall not exceed ten cents per mile, and for contingent expenses not exceeding twenty five dollars for each session." The Speaker of the Assembly, being a member of the Legislature, cannot receive more than eight dollars a day. If that is not expressed in this language, then it seems to me that meaning could not be conveyed in the English language.

Mr. ENOS—The gentleman from Sonoma has cited the law as it formerly stood. As I understand the reading of that law, it is in conflict with the Constitution, and therefore is not in force; and section 23 of article 4 must be the section to govern us in this matter.

Mr. JOHNSON—With due deference to the Senator from San Francisco, I would call his attention to another section of this

MOST SINGULAR INSTRUMENT

That we are trying to interpret, and which will puzzle us all, and make us all sick before we get through with it. Section 1 of Article XXII. reads as follows: "That all laws in force at the adoption of this Constitution, not inconsistent therewith, shall remain in full force and effect until altered or repealed by the Legislature; and all rights, actions, prosecutions, claims and contracts of the State, counties, individuals, or bodies corporate, not inconsistent therewith, shall continue as valid as if this Constitution had not been adopted. The provisions of all laws which are inconsistent with this Constitution shall cease upon the adoption thereof, except that all laws which are inconsistent with such provisions of this Constitution as require legislation to enforce them, shall remain in full force until the first day of July, 1880, unless sooner altered or repealed by the Legislature." Now it would be a question whether it does not require some legislation to change this, and I am of the opinion that the Senator from Sonoma is correct, and that under the amendment adopted at the last Legislature to section 267 of the Political Code, the President is entitled to $12 per day. As to the proposition made by the gentleman from Santa Barbara, Mr. Chase, that if section 23 of article 4 does not mean certain things then the English language is not capable of meaning anything, I have this to say: that it is only another illustration of how the

ENGLISH LANGUAGE IS DISTORTED

in this document, when this section comes so many constructions at the hands of so many able gentlemen as we have upon this floor. I am in favor of paying the $12 a day. I believe we have the right to pay it, and that it is our duty to pay it. I move that this report be recommitted, with instructions to provide for the pay of the temporary officers appointed by Lieutenant-Governor Johnson. I think it is no more than proper that we should pay these Pages and Porters that Governor Johnson appointed to act for us, and we ought to pay them a reasonable amount for their services.

The LIEUTENANT-GOVERNOR—I desire to call the attention of Senators to the fact that it was absolutely necessary to have temporary officers to enable us to organize. We had to have porters to keep the desks in order. We had to have pages, and we necessarily had to have gate-keepers and Sergeant-at-Arms. These appointments were made after consultation with General Mansfield, and with his entire approval, and made in the usual way. Such appointments are made at the beginning of every Legislature.

Mr. JOHNSTON—I desire also to have the committee instructed to amend the report so as to allow the Lieutenant-Governor twelve dollars a day.

The LIEUTENANT-GOVERNOR—The motion comprehends any change they may make.

A LITTLE BREEZE.

Mr. ENOS—I heartily indorse the payment of the temporary officers that have been called here to discharge their duties. But while I indorse the full payment of these officers, I heartily condemn the assault that has been made upon this new Constitution. It is the organic law of the State, and as such should be treated with that respect and courtesy in a Senate convened under it that it requires. We are acting under it, it is in full operation, and we are bound by it; and as the Speaker has been limited to $8 a day under it, and the members of the Senate, we have no right to violate it. I oppose the motion upon that ground. At the same time I am in favor of paying all the temporary officers that have been called here to discharge their duties to the full extent and full amount which the Constitution and law permits. But I will not consent in the opening of this session to allow this instrument to be violated or assaulted in any manner, and I shall resent it as a member of the Senate upon this floor.

Mr. JOHNSON—Mr. President, I simply desire to say that at the proper time, when we have a few minutes to spare, it will give me great pleasure to break a lance with the chivalrous defender of the celebrated new Constitution, and endeavor to convince him that it is proper and right for us to express our views in reference to the new Constitution or the old Constitution, whether upon the sand lots of San Francisco or in the halls of the Senate of the State of California.

Mr. SATTERWHITE—After hearing the Senator from Sonoma and the Senator from Sacramento, I am satisfied that the per diem should be $12. That this is a good Constitution, and that we were right in voting for it, the interpretation and easy solution which is given to questions arising under it by the Senator from Sacramento is the greatest evidence. On all questions discussed here his arguments and citations make a proposition very clear. I am glad that the gentleman has proved to be such a correct expounder of the new Constitution so far.

Mr. GORMAN—I should like to call the attention of the committee to Section 23 of Article IV. The Speaker of the Assembly is a member of the Legislature, of course, and that section provides that no member of the Legislature shall have more than $8 per diem.

Mr. SEARS—I move that this matter lay over until to-morrow.

The LIEUTENANT-GOVERNOR—If there be no objection it will be recommitted to the committee.

JOINT CONVENTION.

The Chief Clerk of the Assembly appeared at the bar of the Senate and announced that the Assembly was ready to receive the Senate in joint convention. The Lieutenant-Governor directed a procession to form in the following order, to be led by the Sergeant-at-Arms: Lieutenant-Governor-elect Mansfield and Lieutenant-Governor Johnson; Secretary Borruck and President pro tem. Baker; the Senators, two and two. The procession then moved to the Assembly Chamber, where the joint convention was held, a report of the proceedings of which will be found in the report of the proceedings of the Assembly.

At 1:08 P. M. the members of the Senate returned to the Chamber and resumed their seats. The roll was called and a quorum found present.

BILLS INTRODUCED.

By Mr. BAKER—An Act to provide for the improvement of Normal School Square in the city of San Jose. [Appropriates $25,000 for the improvement of Normal School Square in the city of San Jose, to be expended under the direction of the Board of Trustees of that institution in parking, fencing and planting the square.]

The LIEUTENANT-GOVERNOR—If there be no objection this bill will take the course the bills took on yesterday, this to be considered the first reading or not, as the Senate may determine hereafter.

By Mr. KANE—An Act to prohibit the employment of Chinese by corporations, and to add a new section to the Penal Code.

Same order.

On motion of Mr. JOHNSON, the Sergeant-at-Arms was directed to see that the fires were kept up night and day to warm the Chamber.

THE INAUGURATION COMMITTEE.

Mr. JOHNSTON—I was in earnest this morning when I desired to be excused from that committee, and I hope the Senate will be kind enough to grant my request. I desire that some gentleman be placed in my stead on that committee.

Mr. DICKINSON—I move that the Senator be excused.

The LIEUTENANT-GOVERNOR—If there be no objection, I will excuse the Senator from serving on the committee. I will put Senator Johnson, of Sacramento, in the place, if he is able to serve.

Mr. JOHNSON—I would not be able to go around and attend to anything. I come here because I think I ought to come, but I respectfully suggest the appointment of some active and energetic young man like the one on my left.

The LIEUTENANT-GOVERNOR—Then I will put Senator Pardee on.

Mr. PARDEE—I would gladly serve on the committee, but a member of my family is sick, and I expect hourly a telegram calling me home, so that if that should take place I would not be able to serve.

The LIEUTENANT-GOVERNOR—Then Senator Brown.

Mr. BROWN—I am compelled to leave the city at 4 o'clock, and will not be able to be here.

The LIEUTENANT-GOVERNOR—I suggested Senator Brown because he resides near Sacramento. I will ask Senator Baker if he will take the place. He is an active young man and knows how these things should be done.

Mr. BAKER—I would suggest my colleague.

The LIEUTENANT-GOVERNOR—The Chair will gladly accept the suggestion.

Mr. ZUCK—I am not at all familiar with the duties.

The LIEUTENANT-GOVERNOR—I will appoint Senator Johnson of Sacramento.

On motion of Mr. DICKINSON, at 1:15 P. M. the Senate adjourned.

ASSEMBLY.

SACRAMENTO, January 7, 1880.

The Assembly met pursuant to adjournment at 11 o'clock, Speaker Cowdery in the chair.

Roll called and quorum present.

Prayer by the Chaplain, Rev. Mr. Bentley.

Journal of yesterday read and approved.

MESSAGES FROM THE SENATE.

A message was received from the Senate, announcing that the Senate had concurred in the Assembly joint resolutions in reference to meeting in Joint Convention, and in relation to other matters connected with the inauguration.

COMMITTEES APPOINTED.

The SPEAKER—The Chair will announce the following committees:

Committee on Rules—Young, Merry, Fox, Garibaldi and Coffman.

Judiciary Committee—Fox, Morse, Tyler, Merry, Young, Bruner, Del Valle, Wasson of Ventura, Hardy, McCarty, Cooper, Corcoran and Walker.

Committee on Attaches—Brooks, Gorley, Streeter and Morse.

Joint Committee to wait upon the Governor and Lieutenant-Governor-elect—Tyler, McCarthy and Del Valle.

Committee to wait upon Governor Irwin—Merry, Braunhart and Spencer.

REPORTS OF COMMITTEES.

Mr. MCCARTHY, of San Francisco, presented a report from the San Francisco delegation, in favor of the passage of the bill to repeal the San Francisco Water Act. The delegation stood 18 in favor of repealing to 1 against.

MOTIONS AND RESOLUTIONS

By Mr. CORCORAN—*Resolved*, That the Postmistress be authorized to appoint a Postoffice Page, at a per diem of $3, payable out of the contingent fund of the Assembly.

Referred to Committee on Attaches.

By Mr. MCCARTHY, of San Francisco—*Resolved*, That the San Francisco delegation be, and they are hereby authorized to employ one clerk at the same per diem as paid clerks of other committees, to be paid out of the contingent fund of the Assembly.

Referred to Committee on Contingent Expenses.

By Mr. HARDY—Resolved, That the Sergeant-at-Arms of the Assembly be and he is hereby authorized to appoint a Porter of Committee Rooms of the Assembly.

Referred to Committee on Attaches.

By Mr. LEACH—Resolved, That by authority of Section 23, Article 4, of the new Constitution, the Sergeant-at-Arms and Secretary of State be and are hereby instructed to provide each member upon his order with such newspapers and postage stamps as he may require, the whole not exceeding the sum of $25; provided, in case members prefer purchasing their own supplies, they be allowed to do so, and that such members be allowed $25 in addition to their per diem.

Adopted.

By Mr. CHANDLER—*Resolved*, That the Sergeant-at-Arms be and is hereby authorized and directed to take from the Postoffice and express office letters and papers for members, and deliver the same at the desk of the Postmistress of the Assembly.

Adopted.

By Mr. BROOKS—*Resolved*, That the Speaker of the Assembly be permitted to appoint a page for the Speaker's desk at the same per diem as the other pages receive.

Referred to Committee on Attaches.

By Mr. MERRY—*Resolved*, That Master Wm. H. Carlson be appointed Postoffice Page of the Assembly, at the same per diem as paid to the other pages, to be paid out of the contingent fund of the Assembly.

Referred to Committee on Attaches.

MESSAGE FROM THE SENATE.

The Secretary of the Senate asked if the body would be ready to receive the Senate in joint convention at 12 o'clock. The Clerk of the Assembly was directed to return an affirmative reply.

BILL OUT OF ORDER.

Mr. BRAUNHART introduced a bill out of order, which was read and referred.

SENATE MESSAGE.

The Assembly took up the Senate's concurrent resolution in relation to meeting in joint session at 12 o'clock, and concurred.

NOTICES OF BILLS.

By Mr. BRUNER—Notice of the introduction of a bill to provide for the appointment of Court Commissioners and define their duties.

By Mr. MAY—Notice of a bill to repeal an Act empowering the Board of Supervisors of the City and County of San Francisco to appoint a Boiler Inspector.

By Mr. GORLEY—Notice of a bill to limit and regulate the sale of mining and other stocks. Also a bill to define the rights and privileges of aliens in the State of California. Also a bill to punish and prevent crime. Also an Act to prevent malfeasance in office. Also to secure to the State such a system of public schools as will tend to promote the well-being of the country. Also an Act to define and limit the rights of land owners in the State of California.

By Mr. CUTHBERT—Notice of a bill to protect citizens in business against alien competition.

By Mr. MAY—Notice of a bill in relation to deputies and assistants of County Clerks.

By Mr. MCCARTY—Notice of a bill to regulate public schools in the State of California.

On motion of Mr. MCCARTHY the Assembly took a recess until 12 o'clock.

IN JOINT SESSION.

The Assembly was called to order at 12 o'clock, and a message was sent to the Senate notifying that body that the Assembly was ready to receive them.

At 12 o'clock the President and members of the Senate filed into the Chamber and took their seats, the Lieutenant-Governor and Speaker Cowdery presiding.

The roll was then called.

The Secretary of the Senate then read the joint resolution under which the two houses met.

President Johnson appointed Senators Satterwhite and Conger, and Speaker Cowdery appointed Messrs. Fox and McCarty, as tellers.

CANVASSING THE VOTE.

The Speaker and President proceeded to open the returns. The figures were read off, and stood as follows:

Perkins, 67,966; White, 44,482; Glenn, 47,665; Clark and scattering, 117. Mansfield, 67,284; Chase, 31,226; Reed, 19,953; Andrus, 42,410; scattering, 78.

The Speaker then declared George C. Perkins and John W