SACRAMENTO DAILY RECORD-UNION.

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SACRAMENTO, MONDAY MORNING, JANUARY 19, 1880.

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VOLUME 10—NUMBER 128.

SIX-PAGE EDITION

THE DAILY RECORD-UNION.

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WM. H. MILLS, General Manager.

Publication Office, Third st., bet. J and K.

THE DAILY RECORD-UNION

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For six months	5 00
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Advertisements of Situations Wanted, Houses to Let, Society Meetings, etc., of FIVE LINES OR LESS, will be inserted in the DAILY RECORD-UNION as follows:

One time	25 cents
Three times	50 cents
One week	75 cents

Seven words to constitute a line.

THE WEEKLY UNION

[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

Semi-Weekly Union Advertising Rates.

Half Square, 1 time	$1 00
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WANTED, LOST AND FOUND.

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.

TAKEN UP DECEMBER 28, 1879, BY the undersigned, at Weber Creek Bridge, Coloma Road, one small BAY HORSE, shod on all four feet, star on the forehead, small white spot on the nose, some white on right fore foot, and branded with what seems to be a brand on left hip. About eight years old. The owner is requested to prove property, pay charges and take the same away.

January 16, 1880. WM. E. GAYLORD.

ja17.

WANTED—INFORMATION IN REGARD TO GEORGE WHITFIELD GRAY, who went from Kentucky to California in 1849. Those having knowledge of him will confer a favor by writing to SAMUEL GRAY, at Bardstown, Nelson county, Kentucky. Postoffice Box 4. ja14-2w*

TO PAPER MERCHANTS.

BIDS WILL BE RECEIVED AT THIS OFFICE until FEBRUARY 1st, for SUPPLYING PAPER of the sizes used in the publication of the RECORD-UNION and WEEKLY UNION, for one year. The quantity needed and other specifications will be furnished upon application. Samples must accompany bids, and guarantees given that all paper will be equal to the samples submitted. Address W. H. MILLS, General Manager RECORD-UNION. ja9-tf

WOOD WANTED.

BIDS WILL BE RECEIVED UNTIL JANUARY 20th, for delivering IN THE YARD at this office, 100 CORDS OF OAK WOOD. The wood must be four-foot, and cut from live timber within one year past. Delivery to commence by the 1st of FEBRUARY, and be completed by the 1st of MARCH. ja9-tf

TO LET OR FOR SALE.

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.

$1,000 TO $1,500—A NORTHERN county Newspaper for sale cheap, at a bargain. Good location. Good reasons for selling. Address "Q. Z. X.," this office. ja17-tf

HOTEL FOR SALE, IN TOWN OF Dixon. For price and terms, address CARL STROBEL, Commission Agent, Sacramento; or, J. W. COTTEN, Dixon, Cal. ja17-3t*

TO RENT—PARLOR, WITH PIANO AND BEDroom, elegantly furnished, on first floor, fronting on L street, three minutes walk from the Capitol. Also, one bedroom, well furnished. Inquire L street Sale Stable. ja16-3t*

FOR SALE—LODGING HOUSE, CONtaining 29 rooms, well furnished. Terms easy. Apply to SPINKS & ACOCK, No. 402 J street. ja16-1w

FOR SALE CHEAP—A LODGING HOUSE, of nine elegantly furnished rooms, in one of the most desirable locations in the city. Reasons for selling, owner is going East. MRS. M. A. HALL, northeast corner Third and K streets. ja14 1w*

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. TENEYCK. ja10-tf

FOR RENT—THE LARGE AND COMMODIOUS brick building corner of Fourth and L streets, five stories high, including basement, suitable for a first class hotel; will be rented on favorable terms to a good tenant.

ALSO,

THE LARGE AND COMMODIOUS BRICK STORE, 160 feet deep, No. 58 J street, between Second and Third streets. Inquire of E. P. FIGG, ja10-2w Corner Fourth and L streets.

NICELY FURNISHED ROOMS, WITH GAS, to let at No. 608 M street, between Sixth and Seventh, opposite the Pavilion. ja8 tf

MONEY TO LOAN ON REAL ESTATE, IN sums to suit. [ja5-tf] P. BOHL.

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

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.

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 1p1m

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 d16-1p1m

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

G. GRIFFITH'S

PENRYN

GRANITE WORKS,

PENRYN, CAL.

THE BEST VARIETY AND largest quarries on the Pacific Coast. Polished Granite Monuments, Tombstones and Tablets made to order. Granite Building Stone Cut, dressed and polished to order. jy11-1p6m

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.

WE REPRINT

—THE FOLLOWING—

REVIEW OF OUR ESTABLISHMENT

—AND—

Its Different Departments,

From the Annual Business Review of the "SACRAMENTO RECORD-UNION," published in their issue of January 1, 1880.

HOW THE PEOPLE OF THE CITY AND COUNTRY ARE ADVANTAGED.

A few Practical Considerations worthy careful perusal and thought.

There is scarce a man, woman or child of intelligence in California but has heard of the MECHANICS' STORE, Sacramento (WEINSTOCK & LUBIN, proprietors), K and Fourth streets.

Its history is phenomenal, but not more so than its methods of business.

Its growth has no parallel in the commercial annals of the State.

But this growth has been the legitimate result of the strict application of business principles all men should understand and practice.

The trade of the house is both wholesale and retail, and is conducted exclusively and unwaveringly upon a CASH BASIS.

More than this, "ONE PRICE" is the uniform rule with rich and poor, high and low, friend or foe—a rule as unalterable as the laws of the Medes and Persians.

The firm is a direct importer, and recently has so perfected its system that with greater truth than ever it may be said it has almost entirely done away with middlemen, and brought manufacturer and buyer face to face at the counter in Sacramento.

Whoever buys at the Mechanics' Store does so on a level with all other buyers and under the assurance that neither favor, affection, patronage or friendship gives one an advantage over the other, and under the guarantee that at this establishment all men are treated alike as purchasers.

A child can comprehend the justice, independence and fairness of this system.

But in matter of judgment favor is shown, not to one, or a class, but to all. How?

By placing all buyers upon an exact level, as all goods are plainly marked and undeviatingly rated, the poorly-posted or ill-judging customer stands exactly in the same relation at the counter of the MECHANICS' STORE as does the most skilled expert. Whatever either buys he get therefor his money's worth, for he pays no more in any case than the fairly and lowest possible rated value of the article.

It is a manufacturing firm, and makes up Men's and Boys' Underwear, in all lines; Boys' Suits; Ladies', Children's and Misses' Cloaks; Clothing for the Shop, the Laborer, etc., working up cotton, linen, woolen and mixed goods in large quantities.

Its Factory Machines are operated with an engine, and is upon one of the lower floors of the house. In this Department twenty-four operatives find constant employment, with a Forewoman, Cutter, two Special Workers and two Boys.

The MECHANICS' STORE embraces twelve distinct Departments, which are noticed separately in this review in the proper sections: First, Dry Goods; 2, Fancy Goods; 3, Men's Furnishing Goods; 4, Men's Clothing; 5, Boy's Clothing; 6, Yankee Notions; 7, Hats and Caps; 8, Millinery; 9, Boots and Shoes; 10, Wholesale Department; 11, Country Order Department; 12, Manufacturing Department.

WHOLESALE DEPARTMENT.

The WHOLESALE DEPARTMENT is distinct from all others of the store, embraces all lines kept in any of the Departments, and is conducted upon the principles heretofore set out. The package rates are the same to all wholesale buyers, and respond only to CASH. The capacity of the Department is equal to any demand the trade of the coast can make. Orders are filled with greatest dispatch, and as faithfully when sent in as if the buyer were present in person.

COUNTRY ORDER DEPARTMENT.

The COUNTRY ORDER DEPARTMENT is a phenomenal one. It represents a vast business. Between one and two hundred orders are filled daily, and the goods dispatched mainly by mail. The selectors act for the customer, using the same judgment as if buying for themselves, and being responsible to the proprietors for the slightest deviation from the exercise of the fairest and best judgment in behalf of the intending buyer.

DRY GOODS DEPARTMENT.

At this establishment the Department of DRY GOODS occupies a spacious, admirably-arranged and popularly-located store-room at the corner of Fourth and K streets, which is stocked from floor to ceiling, and along the balcony running along one wall, with every variety of DRY GOODS, including Calicoes, Dress Goods, White Goods, Waterproofs, Linings, Felt Skirts, Shawls, Curtains, Domestics, Shirtings, Muslins, Silk, Cotton, Woolen and Mixed Goods of all grades, Blankets, Linens, Cloaks, House Linen, Ribbons, Toilet Supplies, Threads, Buttons, Dress Trimmings, etc. The Country Order Department supplies any Goods of this Department in any quantity. The most distant purchaser is afforded equal advantages with the one at the counter.

FANCY GOODS DEPARTMENT.

The Second Department is the FANCY GOODS DEPARTMENT comprises Hosiery, Gloves and Ladies' Handwear, Corsets, Laces, Ribbons, Notions, Embroideries, Articles of Personal Adornment, Edging, Combs, Ties, Jewelry, Collars, Cuffs, etc. Orders are filled from abroad for single articles or by the package.

MEN'S FURNISHING GOODS

—AND—

CLOTHING!

ADDRESSED TO MEN.

The Third Department contains MEN'S FURNISHING GOODS, including Hoisery, Handkerchiefs, Jewelry, Neckties, Collars, Cuffs, Gloves and Handwear of all descriptions; all classes of Shirts, Umbrellas, Bags, Trunks, Valises, etc.

The Fourth Department is the Men's Clothing Department, and includes all kinds of Cotton, Woolen, Silk Mixed and Rubber Clothing, and every possible garment worn by men, and kept even with the best styles. Any of these goods are forwarded to any section in large or small quantities, or by the single article. The absent buyer is treated in exactly the same spirit of fairness as if he or she stood at the counter.

BOYS' CLOTHING!

Parents in California and throughout the land alike are interested in the purchase of Children's Clothing—especially in Boys' Garments. It is demonstrated that this class of Clothing can be purchased cheaper (and of as good stock and make) than if ordered made at home. At no place is there more complete assortment of Boys' and Youths' Ready-made Clothing to be found than at the MECHANICS' STORE. The stock is constantly freshened, and the styles of the day in these garments kept pace with. Any of the goods are forwarded to order, by mail or otherwise, as desired.

YANKEE NOTIONS!

"YANKEE NOTIONS" is a very comprehensive term. In order, however, to comprehend what Yankee Notions means, a visit should be made to that Department of the MECHANICS' STORE. The Department includes all kinds of Yankee Notions known to this trade, such as Soaps, Stationery, Pocket Goods, Novel Personal Utensils, Brushes, Combs, Pocket Cases; a full line of Pocket and other Cutlery, Perfumery, Portemonnaies, Purses, and a variety of like goods far too numerous to be classified now. These and all other goods of the store are forwarded per order to any section in any large or small quantities.

HAT AND CAP DEPARTMENT!

The Seventh Department of the MECHANICS' STORE is the branch of the establishment devoted to the Hat Trade. It embraces full lines of Men's, Youths', Boys' and Children's Hats and Caps, including all the newest styles as soon as put upon the market, and in endless variety. Any article or package of articles forwarded in response to order, and selection is made with as much exactness and care in judgment as if the purchaser stood beside the salesman.

MILLINERY.

To Ladies of Sacramento, and to all those of the interior of California and adjacent sections, the Eighth Department of the Mechanics' Store addresses itself. The Department is an important feature of the business. It is stocked with all goods usually found under that head. Employing fashionable milliners and competent assistants, the goods and work are sent out in the best styles. The lines in Hats, Bonnets, Velvets, Ribbons, Feathers and Artificial Flowers are complete, and one or many orders are filled with equal dispatch.

BOOTS AND SHOES!

Of the Twelve Departments of the establishment, one is devoted exclusively to Boots and Shoes. It includes very full lines of Men's, Youths' and Boys' Boots and Shoes, Infants', Misses' and Ladies' Shoes, Slippers, Ties, etc., and full lines of Rubber Foot Wear. There is no fashionable, serviceable and novel article in this line which the department cannot supply. Country orders receive as much attention as if the buyer were present.

The above review speaks for itself, and needs no comment on our part. We will content ourselves by simply saying that although in the past we have worked *hard* for the benefit of patrons and the public, yet for the future we intend to work still *harder*, and give to all the full benefit of our efforts. To those living in the interior we cheerfully send a Price List and samples free on application.

ADDRESS ALL LETTERS:

Weinstock & Lubin,

Nos. 400, 402, 404, 406 and 408 K st., Sacramento, Cal.

CALIFORNIA LEGISLATURE.

TWENTY-THIRD SESSION.

THIRTEENTH DAY.

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

SENATE.

SACRAMENTO, January 17, 1880.

The Senate met at 10 A. M., pursuant to adjournment, President Mansfield in the chair.

Roll called and a quorum present.

Journal of yesterday approved.

On the request of Senator BAKER, one day's leave of absence was granted Senator Neumann.

REPORTS.

Mr. HILL, from the Committee on Public Printing, reported back favorably Senate Bill No. 77, and it was sent to the file for second reading.

Mr. NYE, from the Committee on Judiciary, reported back the report and resolution of the Committee on Contingent Expenses, relative to the payment of mileage of members, with the recommendation that it be adopted. Adopted.

Mr. ZUCK, from the Committee on Contingent Expenses, reported back favor bly the resolution providing for the appointment of a clerk of the Sergeant-at-Arms, at a per diem of $5. Ad pted.

Mr. ZUCK, from the Committee on Contingent Expenses, also reported back adversely the resolution appointing August Rose as Postoffice Page.

After some discussion the Senate adopted the report of the committee.

Mr. ZUCK, from the Committee on Contingent Expenses, also reported that the services of Newton Benedict, the hold-over Minute Clerk who has so far been assisting the Minute Clerk, would not be required after the 17th, and recommended the adoption of a resolution paying him $104. Adopted.

COMMITTEES.

Mr. JOHNSTON offered the following resolution:

Resolved, That Senators Conger and Johnson be and they are hereby added to the Committee on Education.

Mr. SATTERWHITE, Mr. WEST and Mr. CHASE contended that the appointments on the committees should be made by the President.

Mr. JOHNSTON withdrew the resolution.

READING OF BILLS.

The Secretary resumed the first reading of bills already introduced.

Mr. WEST asked leave to introduce a bill.

The PRESIDENT ruled that all the bills already introduced should be read before any more could be introduced without a suspension of the rules.

THREE READINGS AGAIN.

Mr. DAVIS—I wish to ask leave to introduce a bill out of order, and for the purpose I move to temporarily suspend Rule 37. It is with reference to this question, which, I presume, agitates the mind of every member in this house. As the two houses are conducting their business with reference to the reading of bills, it is uncertain whether any of our legislation takes effect. The Senate, in the decision which it has given, is either right or wrong. If we are right, the Assembly is wrong, and none of the bills which pass both houses of the Legislature will become laws. It seems to me that every member of this house would be derelict to his duty if we do not do all we can to have this question settled one way or the other. Either the Senate should take the position that the Assembly has taken, or they should take the position we have taken. A bill came to us from the Assembly to be passed, and so take the matter before the Supreme Court. The Attorney-General informs me that it will be impossible for him to bring that matter before the Supreme Court in the way in which it is presented. In consultation with some of the Senators upon this question it has been thought best to introduce the bill which I have here, and let it be passed as soon as possible. Members of the Assembly have considered the matter also, and they agree that it shall be passed there, and that their record shall show the manner in which they are dealing with this bill. I hope the Senate will consent that Rule 37 be suspended temporarily and that we will be allowed to introduce this bill.

Mr. JOHNSON—I object.

Mr. GORMAN—What bill is about to be introduced?

Mr. DAVIS—The bill is simply a direction to the Controller and Treasurer to transfer a certain sum of money from one fund to another. It is an authorization to both of those officers. Let the bill become a law, and then let one of those officers refuse to regard it as a legal enactment. Let the other hold it to be void, and then let one of them mandamus the other, and we can bring the matter immediately before the Supreme Court.

Mr. SEARS—In addition to what Senator Davis has said, I will state that we have had a general consultation upon this matter, and we have deemed this the best and speediest plan to arrive at a decision of this question. Now, if this bill is introduced and passed to-day, for instance, it will go into the Assembly. Their practice is to read a bill by title. Their record will show that this bill has been read by title. Then the Controller and Treasurer can refuse to make this transfer, on the ground that this bill has not been passed constitutionally, to wit, that it has only been read by title the first and second time. Then by writ of mandamus we can act directly. The other plan will have to go through the lower Court, and then to the Supreme Court by an appeal, which will take a great deal of time. We deem that this will expedite business. I hope the Senator will be permitted to introduce this bill, and that we will pass it and test the question.

THE ACT.

There being no objection, the President declared the rule suspended, and Mr. Davis introduced "An Act to authorize the Controller and Treasurer of state to transfer certain funds." [The bill provides for transferring from the General Fund to the School Fund the sum of $20,000.]

The bill was read the first time at length, and the President announced the first reading of the bill.

Mr. DAVIS—I now move that the rule be suspended temporarily, for the purpose of reading the bill a second time, and that it be placed upon its final passage.

Mr. DICKINSON—I would ask to amend so that, instead of suspending the rule, we suspend this provision of the Constitution. I move to amend that the provision of Section 15 of Article IV., so far as regards reading bills on three different days, be suspended and the bill be put on its final passage.

Mr. DAVIS—I accept the amendment.

Mr. WENDELL—If the Assembly follows the same course it will not make the proper case.

Mr. DAVIS—The Assembly will proceed in their usual way, and the steps they have finally determined on will be carried out.

Mr. STEVENSON—In conversation with the Senator from Yuba, before he introduced the bill, I understood that the rule would be temporarily suspended for the purpose of introducing it, but that he would let the bill be read on three several days. Of course, if the majority of the Senate wish to dispense with this provision in reference to reading it on three several days, it may be done; but I do not believe that it is a case of urgency that comes within the provision of the Constitution. It would be better that this bill should be read on three several days. For another reason, the question might go off in the Court upon the proposition that this provision of the Constitution was dispensed with, and it was not a proper case of urgency. I would prefer, myself, in the way to construe the Constitution, that this bill be read three times, on three several days, and finally passed on the third day. That would be my preference, because I conscientiously believe that there is no case of urgency by which we can dispense with that provision. But if any portion of the Senate conclude that we had better dispense with that provision, I will not insist.

Mr. BAKER—Is not this house, in all cases, the judge of the urgency? Can a Court in any case go behind it?

Mr. SATTERWHITE—I do not think any Court can go behind that fact, but I may be mistaken on that proposition. The difference is that I, believing positively that there is no urgency here, do not wish to vote to dispense with that provision.

Mr. DICKINSON—In the amendment which I offered I would like to have it worded, "dispense with the provision," using the language of that article of the Constitution. I think, with regard to the question of urgency, there can be no doubt as to the soundness of the legal proposition made by the Senator from Santa Clara—that either house is the sole and exclusive judge as to what constitutes a case of urgent necessity. The authorities are numerous and can be readily produced. If a case of urgency ever will arrive I think we are confronted with it now. It will take four or five days to get this case decided by the Supreme Court. In the meant me we are going on. Two weeks of the session have already passed. I apprehend that we would be justified, especially if we pass a number of laws which may hereafter be held to have been improperly passed. The debate upon this question is causing a good deal of comment, and I trust that we Senators will unanimously vote to dispense with the provision; and if it is practicable, to have the bill printed and returned here before the Senate adjourns this afternoon. I hope the Senate will then dispense with the provision and pass the bill. It has to be printed before it can be put upon its final passage. The Constitution provides that emphatically. Let us read it now, and pass it before we adjourn this afternoon.

Mr. DAVIS—I did not suppose there would be any opposition to our passing this bill. I cannot conceive of any reason why there should be. It seems to me that it is a case of great urgency. So far as the decision goes we need not bring up every point in the matter. We simply want a decision as to whether it is necessary that bills should be read at length the first and second times. I don't think the bill would be legally passed without being printed, but that point need not be raised. We might pass it here and go to the Supreme Court on the one point.

Mr. WENDELL—I agree with the Senator from San Bernardino in his judgment that this is not a case of urgency within the meaning of the constitutional provision, and then only two days' time would be saved. It is necessary for the Assembly to take it up on three several days in order that the point should come before the Supreme Court; therefore, it has to make three days there. It has been introduced here, and if the constitutional provision is not dispensed with it requires [illegible] two days further time. We are inaugurating a [illegible] here which will virtually destroy the co[illegible]nal provision. If we commence here with the [illegible]ice of dispensing with the constitutional provision and declaring it a case of urgency every time it is very desirable to pass a bill, then it is a matter of little moment whether a bill shall be read on three several days at length or by title, because any bill that has a two-thirds vote can be immediately put through. I do not think that the position of the Senator from Santa Clara is a sound one, that because if we declare it urgent the Courts cannot go behind it, that we should do so irrespective of whether it is within the provision or not. The old Constitution contained a provision that a census should be taken in the year 1855 and every ten years thereafter, which every Legislature ignored. It is true they had the physical power to do it, but it was nevertheless ignoring the provision of the Constitution. The question should not be whether the Courts can go behind our action, but whether it is in fact a case of urgency within the meaning of the constitutional provision.

Mr. CHASE—I do not read this Constitution as so very stringent in this matter. It is simply a provision that this bill should be read on three several days unless in case of urgency the provision is dispensed with by a two-third vote. If this is not a case of urgency I do not know what would be. We desire to know whether any Act that we shall pass will be constitutional and stand the test of examination by the Supreme Court, and we should have that question settled, inasmuch as we differ with the Assembly. Having taken our position and the Assembly taking the opposite position, it seems to me that it is a case of urgency that we should have this question decided by the Supreme Court, if that is the tribunal to decide this matter, and it seems to be considered so. It seems to me, therefore, that we should dispense with this provision of the Constitution and read this bill a second time, and, as my friend says, have it printed, dispense with the provision and pass it to-day, and let it go to the Assembly and then to the Supreme Court as soon as possible.

Mr. BAKER—I think the learned Senator from Solano misapprehends the point in regard to the action of the Assembly. The point is not on the suspension of the rules in that body, and they may likewise pass the bill this afternoon if they so desire. The only question to be made over there is that the bill shall be read by title alone, and we will read it at length here. Nobody contends but this house and the Assembly alike have the power to dispense, upon a two-third vote, with the reading of a bill on three several days. This house is the sole judge of the urgency of the bill, and I agree with the Senator that there can be no case arising before this body of more urgency than the present. At the rate we are going we shall not be through reading these bills for a week. We are undoubtedly upon the safe side in the course we are pursuing, but the proper action of the other house is as necessary for the passage of a law as our own, and it is pursuing the opposite course, and for my part I wish no bill in which I am interested to pass until this question is settled. I shall vote to dispense with the provision, and put the bill upon its passage.

Mr. HITTELL—It seems to me that the question of urgency is not entirely one in reference to the object of the bill itself. It may not be a question of urgency whether a portion of the general fund be transferred to the school fund or not, but the question is whether it is not a question of urgency that we pass the bill. So that the question here is not whether the object of the bill is a case of urgency, but the question is whether the action of this house is not in of urgency; and I agree fully with the Senator from the Second, Senator Chase, that it is one of very great urgency. There probably cannot be, in all the legislation that will come before this house, one of so great urgency as this. Therefore it seems to me that we should, if we can, pass this bill to-day and introduce it into the other house on Monday. We are gaining at least two days by such action.

The PRESIDENT—The question is on dispensing with the provisions of Section 15 of Article IV. of the Constitution.

The roll was called and the Senate dispensed with the provision by a vote of 28 ayes to 6 noes.

The Secretary read the bill the second time, and it was sent to the printer.

THE RAILROAD COMMISSIONERS' BILL.

Mr. SEARS introduced, at the request of the Railroad Commissioners, an Act to organize and define the powers of the Board of Railroad Commissioners. [Provides for the organization of the Board. They shall elect one of their number as President; shall elect a Bailiff and Secretary, and employ a stenographer whenever they deem it expedient; the salary of the Railroad Commissioners is fixed at $6,000 per annum; the Secretary $2,400; the Bailiff $1,800; the stenographer shall receive reasonable compensation, to be fixed by the Board of Examiners; the Commissioners and their officers shall travel free over all transportation lines; the District Attorneys of all counties shall institute and prosecute all proceedings for the Board, and their business shall take precedence over all other business except criminal business; the office of the Board shall be in San Francisco; it shall always be open except on legal holidays and non-judicial days; Board must hold sessions at least once a month and the sessions shall be public; the sessions may be in any part of the State on publication of notice for two weeks in a paper published in the county where such session is to be held; the process of the Board shall extend to all parts of the State; a record of the proceedings of the Board and the statements of all persons appearing before the Board shall be preserved.]

The bill was read the first time at length and referred to the Committee on Corporations.

The Senate took the usual recess under the rule.

AFTERNOON SESSION.

The Senate reassembled at 1:30 P. M., President Mansfield in the chair.

Roll called and a quorum present.

Leave of absence for the day was granted Senators Pardee and Brown.

ASSEMBLY MESSAGE.

A message was received from the Assembly announcing the passage of a concurrent resolution expressing sympathy for the people of Ireland.

HUMBOLDT BAY.

Senator RYAN, under a suspension of the rules, offered the following:

Resolved by the Senate, the Assembly concurring, That our Senators and Representatives in Congress be and are hereby respectfully and earnes ly requested to procure an appropriation of $30,000 from the General Government to be expended in dredging and otherwise improving Humboldt Bay for the purpose of navigation. The Governor of this State is hereby requested to forward a certified copy of the foregoing resolution to each of our Senators and members of Congress.

Adopted.

THE STATE PRISON COMMITTEE.

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

Resolved, That the Committee on State Prisons of the Senate be and they are hereby authorized and directed to visit the State Prison at San Quentin and the Branch State Prison at Folsom when in their judgment it is necessary so to do, and are hereby granted leave of absence for such purpose.

The Secretary resumed the first reading of bills.

THE TEST BILL.

Senate Bill No. 83—An Act to authorize the Controller and Treasurer of the State to transfer certain funds—having been returned from the printer, is was taken up out of order and read a second time at length, as in Committee of the Whole.

Mr. DICKINSON moved that the provision of Section 15 of Article IV., of the Constitution, relative to reading on three several days, be dispensed with, the bill considered engrossed and put upon its final passage.

The motion prevailed on a call of the roll, by a vote of 23 ayes to 5 noes.

Mr. GLASCOCK raised the question as to whether the bill could now be amended. He desired to reduce the amount named in the bill, because if the bill was held to be constitutional $20,000 would be transferred, and it would take a bill to transfer it back, and the Assembly might not pass such a bill.

After considerable argument the bill was referred to the author with instructions to strike out $20,000 and insert $350.

Subsequently Mr. DAVIS reported the bill amended according to the instructions, and the report was adopted.

INTRODUCTION OF BILLS.

Bills were introduced, read at length for the first time and referred, as follows:

By Mr. JOHNSON—An Act concerning the preservation of the public health. [Continues all the Boards of Health in the State as now.] Committee on Hospitals.

By Mr WEST—An Act entitled an Act describing water transportation companies doing business within this State. [Defines what shall be meant by the term transportation companies, and that it shall include railroads, steamers and other craft used in the transportation of freight and passengers.] Committee on Corporations.

By Mr. RANE—An Act designating the places in which polls shall be located. [Provides that the polling places shall not be in places where liquors are sold. Makes it a misdemeanor for any person to bring or send liquors into a room where the polls are located.] Committee on Elections.

By Mr. ENOS—An Act to amend Section 1118 of the Code of Civil Procedure. [Relative to contested election cases.] Committee on Judiciary.

By Mr. ENOS—An Act providing a punishment for violating Section 17 of Article II. of the Constitution. [Any officer convicted of a violation of Section 17 of Article II. of the Constitution shall be punishable by imprisonment not less than five nor more than ten years.] Committee on Judiciary.

By Mr. GORMAN—An Act relative to mechanics' liens. [Provides a thorough mechanics' lien law. Liens shall first be in favor of laborers with claims under $100, and then in favor of laborers and material men.] Committee on Judiciary.

By Mr JOHNSON, by request—An Act to repeal an Act entitled an Act supplemental to an Act for the relief of insolvent debtors and protection of creditors, approved May 4, 1852, and the amendments thereto, approved March 31, 1876. Committee on Judiciary.

Also, by request, an Act to amend Sections 2292 and 2295 of an Act entitled an Act to establish a Political Code, relating to the State Library. [Provides for the election of a Board of Trustees of the State Library within ten days after the passage of the Act. The Board shall then elect a State Librarian.] Committee on State Library.

By Mr. HITTELL—An Act to amend Section 150 of the Code of Civil Procedure, relating to rules of Court. [Provides for the time of taking effect of Court rules.] Committee on Judiciary.

Also, an Act to amend Sections 265 and 266 of the Code of Civil Procedure, relating to the ministerial officers of the Supreme Court.

By Mr. NYE—An Act to amend Section 950 of the Political Code. Committee on Judiciary.

By Mr. RYAN—An Act to amend Sections 1 and 2 of an Act entitled an Act giving a lien to loggers and laborers in logging camps upon the logs belonging to the persons employing them. Committee on Judiciary.

By Mr. WATSON—An Act to amend Section 4221 of an Act entitled an Act to establish a Political Code, relating to the Auditor and County Judge counting money in the Treasury and making statement of the same. [Makes it the duty of the Auditor and District Attorney.] Committee on County and Town Governments.

SECOND READING OF BILLS.

Senate Bill No. 77.—An Act making an appropriation for the expenses of the State Printing Office.—was taken up and considered as in Committee of the Whole.

Discussion arising as to the items of expense necessary to be provided for, the committee rose and reported the bill back to the Senate with the recommendation that it be recommitted to the Committee on Public Printing with instructions to amend it as they saw fit and report the items.

The Senate adopted the report of the Committee of the Whole and recommitted the bill.

MISCELLANEOUS.

On motion of Mr RYAN, 200 extra copies of Senate Bills Nos. 61 and 62 were ordered printed.

Mr. NYE introduced a resolution, which was adopted, authorizing the Committee on Judiciary to employ a clerk.

Mr. CHASE introduced a joint resolution instructing our Senators and requesting our Representatives in Congress to use their influence to secure the passage of laws to provide for the free coinage of silver on the same terms as gold is coined; to secure the retirement of National Bank notes and prohibit their further issue; and to prohibit the issuance of interest-bearing bonds in time of peace.

Referred to the Committee on Federal Relations.

Mr. DICKINSON offered a resolution directing the Secretary of State to furnish the Sergeant-at-Arms of the Senate, from time to time, as needed, with sufficient legal-cap, letter and note-paper, envelopes, pens, ink and blotting-pads for the use of Senators in the transaction of the business of the Senate, the same to be paid for out of the contingent fund of the Senate.

On motion of Mr. SEARS, it was referred to the Committee on Judiciary.

Mr. SATTERWHITE offered a resolution authorizing each member of the Senate to draw $25 for contingent expenses, payable out of the contingent fund of the Senate.

Referred to the Committee on Judiciary.

Mr. JOHNSON offered the following resolution:

Resolved, That the following committees be and they are hereby allowed a clerk, at a per diem to be hereafter fixed: Committee on State Prisons, Corporations, Irrigation, Water Rights and Drainage, Finance, Commerce and Navigation, Education, Elections, Public Buildings, and County and Township Governments; provided, that neither of said committees shall elect a clerk until the services of a clerk are needed by said committees.

Mr. BAKER moved that it be referred to the Committee on Contingent Expenses.

Mr. ENOS moved to add the San Francisco delegation.

Mr. HITTELL moved to amend the motion by authorizing the committee to add such other committees as may need clerks.

The whole subject was referred to the Committee on Contingent Expenses.

Mr. CHENEY offered the following resolution:

Resolved, That August Rose be and he is hereby appointed Outside Page of the Senate and Sergeant-at-Arms of the Committee on Judiciary at a per diem of $3.

After a general discussion as to the merits of the boy and the resolution, it was adopted.

COMMITTEE APPOINTMENTS.

The PRESIDENT announced the following Committees on Capital and Labor: Senators Zuck, Watson, Carlock, Enos and Chase. Also the following additional members of the Committee on Education: Senators Johnson and Conger.

At 4:30 P. M. the Senate adjourned.

ASSEMBLY.

SACRAMENTO, January 16, 1880.

Assembly met pursuant to adjournment, Speaker Cowdery in the chair.

Roll called and quorum present.

Prayer by the Chaplain.

Journal of yesterday corrected and approved without reading.

Mr. TYLER—I call upon the Speaker to rule upon the point raised yesterday in relation to introducing a bill by request.

The SPEAKER—The Chair cannot find any authority for any such thing as introducing "by request" in the journal. A bill comes up for final passage and the record is made at that time, by the call of the ayes and noes. The words "by request" will be stricken from the journal.

PETITION.

Mr. YORK presented a petition, with 2,000 signatures attached, asking for the repeal of an Act to regulate the practice of medicine in this State.

REPORTS OF COMMITTEES.

Mr. ESTES, from the Committee on Mileage, reported back the resolution in relation to allowing William Ord mileage, and asked that the same be referred to the Committee on Attaches. So referred.

Mr. CAMERON, from the Committee on Attaches, reported back the resolution to pay the night watchman from the beginning of the session, with a recommendation that it be adopted. Resolution adopted.

Mr. MCCOMAS, from the Committee on Public Lands, reported back Assembly Bill No. 45, recommending passage.

Mr. FOX, from the Judiciary Committee, reported back Assembly Bills Nos. 50, 51, 52, 53, 54, 55—passage recommended.

Assembly Bill No. 41, with a recommendation that it do not pass.

INTRODUCTION OF BILLS.

By Mr. COOPER—An Act to amend Section 108 of the Civil Code, defining common carriers.

By Mr. YORK—An Act to repeal an Act entitled an Act regulating the practice of medicine. Referred to Judiciary Committee.