SACRAMENTO DAILY RECORD-UNION.

DAILY UNION SERIES—VOL. XLIX—NO. 7477.
DAILY RECORD SERIES—VOL. XVI—NO. 2479.

SACRAMENTO, MONDAY MORNING, FEBRUARY 2, 1880.

DAILY RECORD-UNION SERIES.
VOLUME 10—NUMBER 140.

THE DAILY RECORD-UNION.

Entered at the Post Office at Sacramento as second class matter

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Sacramento Publishing Company.

WM. H. MILLS, General Manager.

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

THE DAILY RECORD-UNION

is published every day of the week, Sundays excepted.

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For six months	5 00
For three months	3 00
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Subscribers served by Carriers at TWENTY-FIVE CENTS per week. In all interior cities and towns the paper can be had of the principal Periodical Dealers, Newsmen and Agents.

Advertising Rates in Daily Record-Union.

One Square, 1 time	$1 00
One Square, 2 times	1 75
One Square, 3 times	2 50
Each additional time	50

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Half Square, 1st page	$2 50	$3 50	$5 00
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One Square, 1st page	3 50	5 00	7 00
One Square, 2d page	5 00	7 00	10 00
One Square, 3d page	4 00	6 00	8 00
One Square, 4th page	3 00	4 00	6 00

Star Notices, to follow reading matter, twenty-five cents a line for each insertion.

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
Each additional time	50
One Square, 1 time	2 00
Each additional time	1 00

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.

WANTED—A GIRL TO WAIT ON TABLE, and do Chamberwork. Must be competent. Apply at Washington House, Yolo county. ja30-2t*

STRAYED—FROM SLAUGHTER house, near the American river bridge, 2 cows; one whitish-yellow, branded J J on left hip, and the other a red cow, bald-faced, horns trimmed. Also 2 yearlings—one heifer and one muley steer. Whoever returns them, or gives information which will lead to their recovery will receive $10 Reward.
ja26-tf CONRAD SCHEPP, Twelfth and E streets.

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.

FOR SALE—A WELL-LOCATED PLACE OF business. Small capital required. Address, "A. B. C.," this office. ja29-1w*

$4,500 160 ACRES GRAIN LAND near Dixon, Solano county, fine house of eight rooms, barn, out-buildings, nice shrubbery, good water, land all fenced and cross-fenced, all under cultivation, 120 acres in grain, 15 a res in flax, all included. School and Depot handy—a Bargain. Half Cash, balance on time. Fine list of cheap and desirable farms for sale. Send for descriptive list [ja23-3w] J. W. COTTEN Dixon, Cal.

$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

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

DURHAM CATTLE FOR SALE.

10 HEAD OF THOROUGHBRED Durham BULLS, from one to two years old, and 10 Head of either COWS or HEIFERS Will be sold at private sale at WICK'S RANCH, Butte county. ja30-2m Address M. WICK, Oroville, Cal.

HOTEL FOR SALE.

THE CHICAGO HOTEL, CONTAINING nice Lady's Parlor, 11 Single and 11 Double Rooms. Can accommodate about 40 people. The dining-room is well lighted and furnished with seat 60 persons. A nice large Kitchen, with all the latest improvements. A large Barroom and Office, all well arranged to suit the business. All the Furniture in rooms and everything pertaining to this Hotel is all new, having only been opened four months, and is now doing a good business. All the above and a five years' lease of premises is for sale at a reasonable price. Death of the wife of the landlord is the reason for this sale. For further particulars, inquire at premises, Nos. 308, 310 and 312 J street, Sacramento, Cal. ja21-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 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

E. 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

R. 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

NOTICE.

TO COUNTRY MERCHANTS AND RETAILERS.

ON RECEIPT OF $8 I WILL SEND TO ANY address a sample case of my specialties, consisting of 3 bottles DR. RENZ'S Herb Bitters, 3 bottles Blackberry Brandy, 3 bottles R ck and Rye, and 3 bottles fine old Bourbon Whisky (the last named trade mark "Bonanza"), all justly celebrated goods, and recommended for medicinal and family use. J. RENZ, Wholesale Liquor Dealer, No. 219 Commercial street, three doors below Front, San Francisco. ja30-1t3m

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

SWEETSER & ALSIP,

REAL ESTATE AND INSURANCE AGENTS

Notary Public and Commissioner of Deeds.

Real Estate Bought and Sold on Commission.
☞ Houses rented and rents collected. ☜

Agents for the following Insurance Companies:

IMPERIAL ..... of London
LONDON ..... of London
NORTHERN ..... of London
QUEEN ..... of Liverpool
NORTH BRITISH AND MERCANTILE { London and Edinburgh
ÆTNA ..... of Hartford, Conn.

Aggregate Capital, $54,716,853.

☞ No. 47 Fourth street, between J and K, Sacramento, corner of the alley. d23-1ptf

STAR MILLS AND MALT HOUSE

NEUBURG & LAGES,

NOS. 50, 52 AND 54 FIFTH ST., SACRAMENTO dealers in Produce and Brewers' Supplies Manufacturers of Malt and all kinds of Meals, etc Oatmeal, Cornmeal, Cracked Wheat, Graham Flour, Buckwheat Flour, etc d17-1p f

Electro-Therapeutic BATHS,

Northeast cor. Seventh and I sts.
☞ Both Gentlemen and Lady Attendants at all hours. ja13-tf

CALIFORNIA LEGISLATURE.

XXIII. SESSION—TWENTY-SEVENTH DAY.

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

SENATE.

SACRAMENTO, January 31, 1880.

The Senate met in regular session at 10 A. M., President Mansfield in the chair.

Roll called and a quorum present.

The journal of yesterday was read and approved

PETITIONS.

Mr. BAKER presented a petition from Laura J. Watkins, of San Jose, Santa Clara county, setting forth that she is a resident of and taxpayer of that county; that she believes taxation without representation to be tyranny, and asking for the removal of all political disability, that she may exercise the right to vote, all statute laws to the contrary notwithstanding.

Mr. KELLY—I move that it be referred to the Santa Clara delegation. [Laughter.]

Mr. BAKER—Let it go to the San Francisco delegation. There is no Santa Clara delegation in the Senate. I suppose it should go to the Committee on Elections.

It was so referred.

REPORTS.

Mr. BAKER, from the Committee on Public Buildings, reported back Senate Bill No. 5—An Act to provide for the improvement of Normal School Square, in the city of San Jose—with amendments, and recommend its passage as amended.

Mr. WENDELL, from the Committee on Judiciary, reported back bills with the following recommendations: Assembly Bill No. 33—An Act to amend Sections 1475 and 1504 of the Penal Code, relating to the writ of habeas corpus—passage as amended; Assembly Bill No. 32—An Act to amend Sections 737, 746, 749 and 753 of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to impeachments—passage as amended; Assembly Bill No. 6—An Act to transfer the records, papers and business of the Courts existing on the 31st day of December, 1879, in this State, to Courts now existing therein—passage; Senate Bill No. 140—An Act to amend Sections 943, 948 and 959 of the Code of Civil Procedure, relating to appeals in civil actions—passage; Assembly Bill No. 31—An Act to amend Sections 1418 and 1419 of an Act entitled an Act to establish a Penal Code, approved February 14, 1872, relating to reprieves, commutations and pardons—passage as amended; Senate Bill No. 141—An Act to amend Chapters II. and III., of Title XIII., of Part II., of the Code of Civil Procedure, and each and every section of said Chapters II. and III., and to substitute new Chapters II. and III., to take the place thereof in said Code, relating to appeals in civil actions—passage as amended; Senate Bill No. 145—An Act to amend Section 1000 of the Code of Civil Procedure, relating to injunctions—passage as amended; Senate Bill No. 146—An Act to amend Sections 1004 and 1005 of the Code of Civil Procedure, relating to motions and orders in civil actions—passage as amended; Senate Bill No. 147—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the time within which certain acts are to be done—passage; Senate Bill No. 148—An Act to amend Section 1055 of the Code of Civil Procedure, relating to actions against Sheriffs—passage; Senate Bill No. 149—An Act to repeal Section 1056 of the Code of Civil Procedure—passage; Senate Bill No. 150—An Act to amend Section 1058 of the Code of Civil Procedure, relating to civil actions wherein the State or an officer thereof, or a county, city or town, is a party—passage as amended; Senate Bill No. 151—An Act to amend Section 1238 of the Code of Civil Procedure, relating to writs of review, mandate or prohibition—passage; Senate Bill No. 139—An Act to repeal Chapters IV. and V., of Title XIII., of Part II., of the Code of Civil Procedure, and each and every section of said Chapters IV. and V., relating to appeals in civil proceedings—passage.

Mr. DICKINSON, from the Committee on Commerce and Navigation, reported back favorably the Assembly joint resolution relative to the protection of the commercial interests of the Pacific coast.

Mr. ZUCK, from the Committee on Contingent Expenses, reported a resolution, paying $16 80 mileage to each of the Senators who went to San Francisco, to present the test case to the Supreme Court.

Adopted.

Also, reported a resolution abolishing the office of Clerk of the Committee on Public Printing.

On motion of Mr. GEORGE the resolution was laid over until Tuesday morning at 10:30.

Mr. JOHNSON, from the Committee on Chinese and Chinese Immigration, reported back favorably Senate Bill No. 6—An Act to prohibit the employment of Chinese by corporations and to add a new section to the Penal Code; and Senate Bill No. 218—An Act to prohibit the issuance of licenses to aliens not eligible to become citizens of the State of California.

Mr. ZUCK, from the Committee on Contingent Expenses, reported back favorably, with amendments, Senate Bill No. 103—An Act to amend Sections 235, 248 and 249 of the Political Code, relating to clerks of the Senate and Assembly.

GENERAL FILE.

The Senate took up the general file and disposed of bills as follows:

Assembly Bill No. 93—An Act in relation to certain deputies and assistants to County Clerks (by Mr. May)—was read a second time at length and ordered engrossed.

Senate Bill No. 67—An Act repealing Section 429 of the Penal Code, in reference to the inciting of riots, etc. (by Mr. Nelson)—was read a second time at length and ordered engrossed.

Assembly Bill No. 29—An Act to continue in force school teachers' certificates, State educational diplomas and life diplomas (by Mr. Young)—was read a second time by sections, as in Committee of the Whole.

Senate Bill No. 57—An Act in relation to the currency of the United States (by Mr. Ryan)—was read a second time and ordered engrossed.

Senate Bill No. 142—An Act to confer certain powers upon the Board of Auditors of El Dorado county (by Mr. Brown)—was read a second time and referred to the Committee on Judiciary.

Assembly Bill No. 6—An Act to transfer the papers, business and records of the Courts existing in this State on the 31st of December, 1879, to the Courts now existing therein—was read a second time.

[President pro tem. Baker in the chair.]

Senate Bill No. 18—An Act to amend Part I. of the Code of Civil Procedure, and each and every title, chapter, article and section of said Part I. and substituting a new Part I., to take the place thereof in said Code, relating to Courts of justice and the various officers connected therewith (by Mr. Hittell)—was read a second time by sections, as in Committee of the Whole. The bill was taken up about half past 10 A. M., and its reading and the adoption of the amendments of the Committee on Judiciary occupied the time of the Senate until 5 o'clock P. M.

Pending the consideration of the bill the Senate took the usual recess.

AFTERNOON SESSION.

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

Roll called and a quorum present.

The consideration of Senate Bill No. 118 was resumed as in Committee of the Whole.

JUSTICES OF THE PEACE.

Mr. SATTERWHITE offered an amendment providing that there should be one Justice of the Peace in each township instead of two, and strongly urged its adoption. His plan was to have the Board of Supervisors cut up the counties into as many townships as would be necessary, but to have only one Justice of the Peace in each township, so that there would not be concurrent jurisdiction.

Mr. JOHNSON strongly opposed the motion. He wanted Sacramento to have three Justices of the Peace with concurrent jurisdiction, as at present, and moved to amend in that way. Sacramento city was all in one township, and one Justice could not do all the work.

Mr. PARDEE took the same position in regard to Oakland.

Mr. CHASE held the same views as Mr. Satterwhite.

Mr. WENDELL did not believe it constitutional to say that Sacramento and Oakland should have three and other townships one. It was making special legislation in a general bill.

Mr. ROWELL agreed with Mr. Wendell.

Mr. BROWN opposed Mr. Johnson's amendment.

After a long discussion of the point, Mr. JOHNSON offered an amendment giving three Justices to all townships having over 20,000 inhabitants. Lost, by a vote of 11 ayes to 11 noes.

Mr. SATTERWHITE's amendment was adopted, giving one Justice to each township.

REPORTERS' FEES.

The principal discussion on the bill was had when Section 274 was reached, providing for the compensation of official reporters in Courts. The bill, as originally introduced by Mr. Hittell, provided that the compensation should be $6 per day and 15 cents per folio of 100 words for transcription. The Committee on Judiciary had reported an amendment putting the compensation back at the present rate—$10 per day, and 20 cents per folio, and providing that where more than one case was tried on the same day the Court should divide the per diem among the cases so tried, so that the reporter should receive $10 for the day's work, irrespective of the number of cases tried.

Mr. CHENEY moved to amend by striking out all of the amendment after the words "twenty cents per folio," so as to leave the law as at present. As he understood the amendment proposed by the Committee on Judiciary a reporter could not receive more than $10 a day, no matter how many cases he reported. That might be all very well for San Francisco or Sacramento, where the official reporter of the Court has employment from day to day throughout the year; but Senators must remember that there are counties in this State that are far removed from cities and large towns, and whose Courts demand and need a reporter as much as the Courts in the cities, for they have just as important cases, and frequently more important, cases than are tried in the city Courts. In Plumas county, one of the counties of his district, there were only about forty days occupied in the trial of causes during the year, and if the reporter could only receive $10 per day he would get only about $400 during the year. It was not always that cases were transcribed. To do justice to the reporters and to offer inducements to really first class men who are familiar with their profession and who are competent to do the work, he thought it no more than right that they should have $10 for every case they reported.

Mr. SATTERWHITE said that the remark of the Senator in regard to securing first-class men reminded him how often the same argument had been used in order to keep up official salaries. It was easy to have letters from every short-hand reporter, and County Clerk, and Treasurer, and Sheriff in the State saying that they were in favor of high salaries in order to secure first-class men. It was the same way all over the country. The reporters now received $10 a day and 20 cents per folio. That was right. He thought that the amendment of the Committee on Judiciary was right, but the idea that we must have high salaries in office in order to obtain the best talent was all nonsense.

Mr. JOHNSON asked the Senator if he ever tried two cases in one day.

Mr. SATTERWHITE said that he had.

Mr. JOHNSON inquired if he charged a fee in each case.

Mr. SATTERWHITE said that he had. He was only saying that this argument, that high salaries must be paid to secure the best talent, was the argument of all officeholders.

Mr. CHENEY said that $10 for each case was not a high salary. The reporter in his judicial district was a very competent man, and he knew him well. That reporter had reported for the counties of Plumas, Lassen and Modoc, and he was perfectly satisfied that out of all three counties the reporter did not receive to exceed $1,500 a year. Now it was necessary for the reporter to confine himself to one county, because all the Superior Courts would be in session at the same time. It would necessitate three reporters for those three counties. They needed and must have a reporter in Plumas county, but unless he was paid a fair salary—a bread-and-butter salary of $10 for each case—they could not have him.

Mr. DICKINSON favored the amendment offered by Mr. Cheney. The practical application of the amendment proposed by the Committee on Judiciary would be to make the salaries of the reporters very small. Every lawyer knew that a great part of each day in Court is taken up in hearing applications for continuances. During that time the reporter receives nothing. He only receives compensation when testimony is being taken down in a case. There would be very few days indeed when more than one case would come on for trial in any Superior Court in the State. There might be some days when the reporters would receive twenty, thirty, or forty dollars; but there would be many more days when he would lose his time entirely by going to the Court and no case coming on for trial, and his services not being required at all for the day.

Mr. HITTELL said that the reporters were the greatest tax on litigation in this State. He came up here with the intention, and in fact drew the bill so as to cut down their salaries to $6 per day and 15 cents per folio. The Judiciary Committee had decided that that was rather small for the reporters in the outside counties, and had agreed upon the amendment which had been presented by the committee. He must say that for himself it was with a great deal of reluctance that he consented to the amendment allowing $10 a day and 20 cents per folio, provided it was not fixed by the Judge. He could not see what difference it made to the reporter whether he reports in one case all day or in four or five cases.

Mr. DICKINSON said he apprehended it would make no difference if he was regularly employed. He would ask the gentleman if he did not know there were many times when the reporter had nothing to do at all.

Mr. HITTELL said that his experience was confined chiefly to the Courts of San Francisco. In the Courts of that city he had known the reporter to receive as high as $30 and $100 a day in per diems, and that was an outrage. They came to the Senate and served for $8 a day. They might or might not be worth it, but he had only to say that the reporters of these Courts were the greatest tax that there is upon litigation in the State, and if he alone could cut down their salaries he would certainly do it. He was opposed to any change in the amendments as offered by the Committee on Judiciary.

Mr. CHENEY read a sworn statement of the reporter of the Thirteenth Judicial District (Tulare county), to the effect that his salary did not exceed $1,200 a year. He insisted that if it was intended to have cases reported in the country counties they must pay $10 for every case that was reported or the reporter could not live. He thought it a case that appealed to the common sense and judgment of all the Senators.

Mr. ZUCK agreed with Mr. Hittell in reference to the fees of reporters. He had had some occasion to examine the matter, and had been interview d by a number of reporters on this question. He had several letters in his pocket from reporters, and to hear their arguments you would think that their services were insupensable, and that they ought to have a salary of five or six thousand dollars a year. He thought you could buy them by the dozen for about twenty-five hundred or two thousand. He had never found any difficulty in obtaining a reporter. In answer to the Senator from the Twenty-sixth he would say that the fees came out of the litigants, and if they could not obtain a reporter for $3 they could make up the difference. He did not want a reporter fastened on Santa Clara county, or any other county in the State at $10 a day. He was opposed to the amendment, and the amendment to the amendment. He wanted the original section—$6 a day and 15 cents a folio for transcription. He thought that was sufficient salary for the character of the services rendered. These reporters all admitted that they only paid 10 cents a folio for having it transcribed; that they can get the very best clerical assistance at 10 cents a folio. That leaves them a margin of 5 cents a folio at 15 cents a folio.

Mr. DICKINSON asked if the gentleman meant that these amanuenses transcribed from the short-hand notes into long-hand.

Mr. ZUCK said that the reporter simply dictated the notes and the amanuensis wrote them out for ten cents per folio. There was a profit of five cents. He thought if the reporters received nothing at all per folio and $6 a day, it was ample compensation. You could go into the interior banks and employ competent cashiers or book-keepers at $150 or $175 a month. He could not see where reporters had any more responsibility attached to them than these men. It was true that they were not employed all the time, but a man might do more than one thing to get a living.

Mr. JOHNSON hoped that the amendment offered by Mr. Cheney would be adopted. The Senator from Santa Clara said he could get a man for $150 a month to run a bank. He had no doubt that he could get Mr. Duncan to run a bank for a good deal less than that. He believed that $150 a month was more than the average reporter earned. Sacramento was a reasonable-sized county, with as many inhabitants as Santa Clara, and our reporter did not receive $150 a month. He had no doubt Senator Cheney would be willing to make it a salaried office. He would say that $6 a day and fifteen cents a folio was sufficient compensation, if the work was steady, but it was not. He agreed with Senator Cheney that poor pay would bring poor work. He held that the position of the reporter was the most important that could be committed to any one man, because upon their notes which he takes hangs the property, the liberty and the life of human beings. Upon the correctness of his reports depend whether you lose your property, your liberty, or, it may be, your life. Talk about paying a man $6 a day and running the chances. It might be that the Courts of San Francisco had tried ten or twelve suits in a day, but he would like to wager that no Court in San Francisco ever tried three cases a day. The general employment in San Francisco was that the Courts did not try their cases. He had a case in one of the San Francisco Courts that had been there since October, 1878. Even where more than one case was tried in one day it did not work any hardship if the reporter received his pay in each. The fee came from different parties, and a party who had a suit tried would have to pay the $10 if no other case was tried on the same day, and if another case was tried the same day he had to pay no more. He hoped the amendment to the amendment would be adopted and that they would have no more of this penny wise and pound foolish legislation. He wanted to see how it would be when this bill came in for the $6,000 salaries. He wanted to see a decent salary paid these men. If the gentleman from Santa Clara did not want it for that county let him make an exception for that county. In San Francisco the Courts only try cases on Monday, Tuesday, Wednesday and Thursday. Friday is law day, and they do not hold Court Saturday and Sunday. So a reporter could only have four days work in the week, even if the Courts run all the time. He never knew a reporter possessing the wealth of a Rothschild or a Flood or O'Brien. So far as he was acquainted with them they were all poor men, except, probably, Charles A. Sumner. But Mr. Sumner had a salary of $3,000 from the Supreme Court, which, he supposed, enabled him to have more money than the rest.

Mr. SATTERWHITE insisted that the amendment offered by the Committee on Judiciary was the one that ought to be adopted. It was the model law for high salaries. The Constitutional Convention was the only body of men ever assembled in the State that had had the courage to cut down fees and salaries.

Mr. JOHNSON wanted to know if they cut down their own.

Mr. SATTERWHITE said they did not; but that was like all men. He believed that now the reporter made as much as the average lawyer, and they ought to. There were many lawyers in the State that did not make $100 a month. He considered that a good living, and would like to be guaranteed $100 for the rest of his life. He held that $10 a day and 20 cents per folio ought to be allowed. He would not go any lower down than that, but he did not want it so high as to keep men out of Court. He admitted that he had never known a rich short-hand reporter, and that they did not have steady work. They ought to have $150 or $200 a month, and he thought the amendment of the Committee on Judiciary—$10 per day and 20 cents per folio—was about right.

Mr. CHENEY again urged the adoption of his amendment, saying that in the outside counties it was impossible for a reporter to live under the other rule.

Mr. JOHNSTON moved to amend by inserting "$10 per day for every day said Court is in session, payable out of the salary of the Judge and the fees of the attorneys."

Ruled out of order.

Mr. HITTELL said that it seemed to him that the real point in the case seemed not to be understood. They should look at the tax placed upon litigation, and not merely at the salary of the reporter. There were many men now kept out of the Courts because of the reporters' fees. He was satisfied to have the amendment of the Committee on Judiciary adopted, but he was opposed to the amendment allowing a fee in each case. Reporters in San Francisco had been allowed the per diem in cases that simply went over, if a single word of oral testimony was taken. He had paid in the San Pablo case, for reporters' fees, between three and four thousand dollars, including per diems and transcriptions.

Mr. DICKINSON asked how long it took to try the case.

Mr. HITTELL said it took thirty or forty days actual work.

Mr. DICKINSON wanted to know how long the case was pending.

Mr. HITTELL said it was several years. In many cases the per diem was charged when the case was not up more than ten minutes in the day.

Mr. JOHNSON said that could all be remedied by the Judge doing his duty.

Mr. DICKINSON said he did not believe in visiting the sins of the lawyers on the heads of the reporters in connection with that case. He, too, knew something of that case. He believed every lawyer would admit that when a case has once been taken up, and the reporter has entered upon his duty, he ought to be paid for every day the case comes up, whether the lawyers are ready to go on with the trial or not. The reporter cannot go and attend to any other business. He must come to the Court, and then it may be that the lawyers are not ready, and after they have argued a while the case goes over and his services are not needed that day. In such cases the reporter is entitled to his per diem, because he has lost his day in attending upon the case. He has no control over the case. He must come there, and if the lawyers are not ready, or the Judge is sick, or anything happens, he loses his day. The amendment proposed by Mr. Cheney only kept in force the present statute, and he hoped it would be adopted.

Mr. Cheney's amendment was lost by a vote of 8 ayes to 13 noes, and the amendment of the Committee on Judiciary was adopted by a vote of 13 ayes to 8 noes.

The reading of the bill was finished, and it was ordered engrossed.

At 5:05 P. M. the Senate, on motion of Mr. PARDEE, adjourned.

ASSEMBLY.

SACRAMENTO, January 31, 1880.

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

Roll called and quorum present.

Prayer by the Chaplain.

Reading of the journal dispensed with.

The Chair announced the receipt from the Controller of a statement showing the number of men on the pay roll and the salaries paid, respectively. It was ordered to print without reading.

RESOLUTION.

Mr. MAY offered a joint resolution to the effect that a joint committee of six, three from the Senate and three from the Assembly, be appointed to confer with the members of the Code Commission in regard to the work which they have performed at the joint suggestion of Governor Irwin and Governor Perkins, and to report to the Legislature any recommendation they may deem proper. Adopted.

The Chair appointed Messrs. May, Brown of Sonoma, and Carr of Yuba as the committee, on the part of the Assembly.

REPORTS OF COMMITTEES.

Mr. BROWN of Yuba reported back Assembly Bill No. 84, an Act to provide for the organization of the Railroad Commission, in response to the demand of the House, and protested that the bill had not yet been in the hands of the committee fifteen days.

Mr. SHERBURN reported back Assembly Bill No. 18 as correctly engrossed.

INTRODUCTION OF BILLS.

The following bills were introduced and ordered printed:

By Mr. CUTHBERT—An Act to prevent monopoly by railroad and steamboat companies, and other common carriers.

By Mr. GORLEY—An Act to pay the claim of Mary M. Springer, widow of the late Thomas Springer, deceased.

By Mr. PICKET—An Act to amend Section 305 of the Civil Code, in reference to liens for services.

By Mr. COOPER—An Act to amend Section 1880 of the Code of Civil Procedure, in relation to persons who can testify.

By Mr. MORSE—An Act to amend Section 555 of the Penal Code, in reference to false weights and measures.

By Mr. COFFMAN—An Act to amend Section 3704 of the Political Code, in relation to collecting delinquent taxes.

By Mr. MCCALLION—An Act concerning passengers in vessels coming to any city or portin the State of California.

By Mr. DURHAM—An Act to encourage the planting and cultivation of forest trees.

By Mr. HAYNES—Concurrent resolution, asking our Senators and Representatives in Congress to do all in their power to procure an appropriation of $100,000 from the General Government, to dredge and improve Petaluma creek.

By Mr. MCCARTHY of San Francisco—An Act to authorize the Sheriff or other officer of any County Jail or City Prison, to cut the hair of prisoners within one inch of the scalp.

BILL WITHDRAWN.

Mr. BRAUNHART was allowed to withdraw Assembly Bill No. 74, an Act in reference to lobbying, and to introduce a substitute for the whole matter.

SENATE MESSAGES.

Senate Bill No. 39 was taken up, and the Clerk proceeded to read it. Pending the reading the special order, an Act, making appropriations for the State Printing Office, was taken up and passed. The reading of the bill was then continued.

AFTERNOON SESSION.

Senate Bill No. 38, relating to proceedings after trial, was read first time and referred to the Committee on Judiciary.

Assembly Bill No. 84, by Del Valle, for the organization of a Railroad Commission, was read the first time.

Mr. BRAUNHART moved that it be referred to the Committee of the Whole.

Mr. FELTON said he was a member of the Committee on Corporations and he did not like to have the motives of any member impugned. Reasons were given why the bill was not reported upon by that committee.

Mr. BRAUNHART gave as his reason for desiring the bill referred to the Committee of the Whole, that he did not like to see any bill smothered.

Mr. FELTON did not want such language used about any committee of which he was a member.

Mr. DEL VALLE said that he had satisfied himself that the committee had not had the bill for fifteen days, and he was satisfied to see it go back. The bill was referred to the Committee on Corporations.

Mr. CARR of Yuba asked if the committee could keep the bill for fifteen days longer.

The SPEAKER replied, "Yes."

Mr. DEL VALLE had particular reasons for having the bill brought before the House. It was designed to put into operation the most important body in this State.

Mr. FELTON said that the committee could report in ten minutes.

Mr. COSPER guaranteed that the committee would meet on Tuesday and report on Wednesday.

SECOND READING OF BILLS.

Assembly Bill No. 275—For the construction of a State Armory and State Printing Office.

Assembly Bill No. 276—For completing the Governor's mansion.

Assembly Bill No. 278—To define the western boundary of Lake and Colusa counties.

Mr. ADAMS of Sonoma moved to reject.

Mr. BROWN of Sonoma said that the Supervisors had the power to arrange the boundaries. This was a little snap-judgment that he couldn't understand.

Mr. MCCARTHY of Lake objected to such an accusation, for the reason that he had shown the bill to both delegations. He thought it better to have a committee considered it.

Mr. HYNES said that it took a strip of land from Sonoma and added it to Lake, and that they objected to it.

The motion to reject was defeated.

Assembly Bill No. 280—Relating to life insurance companies—was read the first time.

Senate Concurrent Resolution No. 9, relative to the dredging of Humboldt Bay, to secure an appropriation of $30,000, was adopted.

SECOND READING OF BILLS.

Assembly Bill No. 203, to provide for taking appeals from Courts abolished by the Constitution.

Assembly Bill No. 71, relating to the punishment of battery, making the offending a felony, reported upon unfavorably by the Judiciary Committee.

Mr. BRAUNHART hoped that the bill will be read a third time.

Mr. MCCALLION—Is the gentleman married.

Mr. BRAUNHART—No, but I am willing to. There is plenty of time.

Mr. MAY objected to the distinction made between wives. The bill made it a felony for a man to beat his own wife, but not to beat his neighbor's.

Mr. COOPER said that the Judiciary Committee had rejected the bill because the punishment was unusual.

Mr. ADAMS—I move to strike out the section and insert: "Every man who lays his hand upon another man's wife shall be sent to the State Prison."

Declared out of order.

Mr. MAYBELL hoped that the bill would not pass to a third reading. It was an insult to the dignity of the house. Who is to support the family when the husband is in jail?

Mr. BRAUNHART asked who supported this woman and family when the man was drunk at night? The woman by her earnings.

Mr. MAYBELL—Would you divorce a couple for a little blow?

Mr. BRAUNHART—No, sir.

Mr. MAYBELL—Well, the law makes imprisonment in San Quentin a ground for divorce.

Mr. MCCARTHY—I would like to ask if the gentleman is married?

Mr. BRAUNHART—No, sir, but I am willing to be.

Mr. MCCARTHY—That accounts for it.

Mr. BRAUNHART resumed his argument and hoped that the bill would receive a third hearing.

The motion to pass to a third reading was lost.

Assembly Bill No. 73—An Act to define and limit the rights of land owners in the State of California (by Gorley). [It provides for the assessment of land.] The Judiary Committee reported unfavorably upon it. On motion the bill was rejected.

Assembly Bill No. 197—An Act in relation to the Sacramento county government, fixing the Auditor's salary and giving him a Deputy, was read a second time.

Assembly Bill No. 115—An Act making an appropriation for the protection of the flags of California volunteers used in the war—was reported back with a substitute. The bill appropriates $500 for the care of the flags and $500 for the protection of property in the armory.

Mr. MAYBELL did not see the necessity of the expenditure.

Mr. GORLEY said that he had found the flags in a corner of the Adjutant-General's office covered with dust and tobacco juice.

Mr. MAYBELL said that if the officials of this State had not sufficient patriotism to keep the national flag clean—if they had to be paid to do it—he would vote for it.

Mr. HARDY asked how many flags there were.

Mr. GORLEY said that there were six.

Mr. MCCARTHY was opposed to the measure. The expenses of the National Guard are too high and might be reduced to permit such expenditure.

Mr. MAYBELL made the point of order that the bill was unconstitutional because it contained two subjects.

The CHAIR sustained the point, and the bill was referred to the Military Committee.

Assembly Bill No. 138 was withdrawn by the author, Mr. GORLEY.

Assembly Bill No. 137, to repeal the Act regulating the practice of medicine, was read a second time.

Assembly Bill No. 220, prohibiting officers from making contracts for longer time than their term (by Mr Maybell)—was read a second time.

Assembly Bill No. 97, to prohibit the sale of liquors in the State Capitol.

Mr. BRAUNHART hoped that the bill would not go to third reading.

The motion to pass to third reading was adopted.

Assembly Bill No. 97 was withdrawn by Mr. GORLEY.

Assembly Bill No. 78, to punish and prevent crime, disfranchising felons and persons convicted three times of misdemeanor, reported on adversely by the Committee on Public Morals, was rejected.

Assembly Bill No. 99, to amend Sections 596 and 633 of the Political Code, relating to insurance companies.

Assembly Bill No. 189 was withdrawn by Mr. GAFFEY.

Assembly Bill No 87, fixing bonds of officers in cities of more than 100,000 inhabitants, was read a second time.

Assembly Bill No. 107 was withdrawn by Mr. GORLEY.

Adjourned at 4:50 P. M.

We learn from S. S. Ford that it is his intention to build a race-course at his ranch, about two miles east of Alturas, as soon as winter breaks. It will be built for the use of the citizens of Alturas and surrounding county to have their regular spring and fall races upon. A number of good box-stalls will also be built, and everything requisite for training will be found at the track. Mr. Ford proposes to build this track and keep it in condition at his own individual expense, and will have accommodations for both man and beast. From our personal knowledge of the ground we think as good a track can be built as any in California.—[Modoc Independent.

SATURDAY'S DISPATCHES

[SPECIAL TO THE RECORD-UNION.]

NATIONAL CAPITAL AFFAIRS.

Continuation of the Colored Exodus Examination.

PASSENGERS COMING WEST BY RAIL.

Further in Regard to Indian Commissioner Hayt's Removal.

OVERLAND RAILROAD CONSOLIDATION.

Twenty-Five Indictments Against the New York "Dotheboys Hall" Manager.

MISCELLANEOUS ITEMS OF FOREIGN NEWS.

Arrangements for a Proposed Royal Procession in London.

Etc. ..... Etc. ..... Etc.

DOMESTIC NEWS.

Affairs at the National Capital.

[Special to the RECORD-UNION.]

WASHINGTON, January 31st.—Representative Page some weeks ago wrote to the Secretary of War, requesting him to submit the question of the title of the United States Government to the estuary and channel of Oakland harbor to the Attorney-General for an authoritative opinion—the $80,000 appropriated by Congress last year for continuing Oakland harbor improvement being still tied up and unavailable while awaiting a determination of the question. Secretary Ramsay, in a letter to Page, now replies that in accordance with his request the matter has been submitted to Attorney-General Devens, with a request that District Attorney Teare be instructed, after consultation with Colonel Mendell, of the United States Engineer Corps, to maintain Government interests and its right of occupancy and prevent any intrusion upon them.

REMOVAL OF