SACRAMENTO DAILY RECORD-UNION.

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DAILY RECORD SERIES—VOL. XVI—NO. 2479.

SACRAMENTO, FRIDAY MORNING, FEBRUARY 27, 1880.

DAILY RECORD-UNION SERIES.
VOLUME 11—NUMBER 5.

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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One Square, 3 times	2 50
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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.

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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.

ANYONE IN NEED OF A GOOD, RELIABLE Book-keeper for one hour or two each day, may be accommodated by calling at HENRY FUCHS' Purchasing and General Business Agency, No. 529 K street, Sacramento, Cal. f21-1w

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WANTED

IMMEDIATELY—FORTY HEAD OF HORSES, suitable for carts. Weighing 900 pounds and over. Apply B. R. CROCKER, Sacramento. f25 3t*

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.

STOCK FARM FOR SALE—266 ACRES; title perfect. Part good Grain Land, part good for Vines and Fruit, in *warmbelt* of Foothills. Plenty of Water and Timber, and adjoining land can be had from Railroad Company, or by pre-emption. Good buildings. Only, $1,000 Cash; balance, $1,000, on time, to suit buyer. Address CARL STROBEL, Commission Agent, No. 521 J street, Sacramento. f21-tf

FOR RENT OR SALE—THE WELL-KNOWN Store and Saloon at Live Oak, on the Plymouth Road, twenty-five miles east of Sacramento. Terms easy. For full particulars, inquire of the owner at Live Oak, CONRAD BERGHAUSER. f18-1p2w*

FOR SALE—AT A BARGAIN, TWO VALUABLE Patents. Three Thousand Dollars can be realized from them each year on this coast alone. Address "Patentee," RECORD-UNION office. f17-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. ja10-tf

FOR SALE,

STOCK, TOOLS AND FIXTURES OF A Stove and Tin Shop, situated in one of the best mining towns in the State. Doing a good business. An old stand. Established for the last sixteen years. Also, Fire-proof BRICK STORE. Will be sold or rented. All will be sold Cheap for Cash. Apply to C. B. BIRDWIN, Placerville, Cal. f18-1p1m*

RANCH FOR SALE,

AT A BARGAIN.

THE WELL-KNOWN SAULSBURY RANCH, containing about 350 Acres, being of the best Grain Land ever offered for sale in this county. Produces from 25 to 35 bushels of Wheat, and 30 to 50 bushels of Barley to the Acre. Soil of sandy loam formation, and from 6 to 10 feet deep. Failure of crop has never occurred upon the place. Has a

Good Dwelling and Out-buildings.

Railroad Station, with Side Track, and Scales, Plows, Harrows, Carpenter and Blacksmith Tools; splendid well of water, with horse-power and large tank.

—ALSO—

A large lot of Farming Implements

Will be sold, if desired. Railroad Trains pass at Station four times each day. Place is well timbered. Situate on line of Sacramento Valley Railroad, 15 miles from Sacramento, at Saulsbury Station.

☞ The land rents for $3 Cash per acre, and is offered at low price of $10 per acre.

Apply to SWEETSER & ALSIP, Real Estate and Insurance Agents, No. 1015 Fourth street, between J and K, Sacramento. f18-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.

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. [ja7-1p1m]

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. [i29-1p1f]

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. d3-1p1f

J. B. KLINE,

(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. [o10-1p1m]

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. [f24-tf]

B. B. BREWER,

DENTIST, SOUTHWEST CORNER OF Seventh and J streets, in Bryte's new building, up stairs. Teeth extracted without pain by the 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

STAR MILLS AND MALT HOUSE.

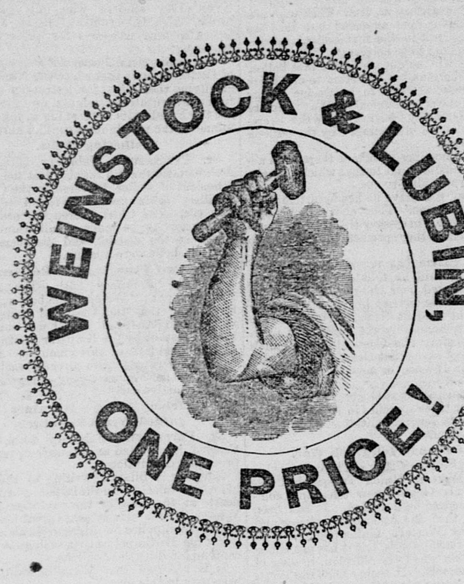
NEUBOURG & LAGES,

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 1ptf

THEODORE GLANCEY.

THE GENERAL AGENCY OF THE RECORD UNION, for San Francisco, both for circulation and advertisements, is in the office of Theodore Glancey, No. 208 Montgomery street, Rooms 9 and 10. f8-1pt

THE MECHANICS' STORE.



BLACK CASHMERE.

We have often heard ladies remark that one of the most difficult lines of Dress Goods to buy satisfactorily is BLACK CASHMERE.

Of this there is no doubt, as it requires great skill to know the true value of this important Texture. Even Experts, when buying on their own judgment, dare not trust to their senses of seeing and feeling, but always rely and depend upon the magnifying glass to give them the fineness and quantity of threads, and the scales to show the weight. Such being the case, it is always safest, when wanting any of these goods, to buy them in an establishment where the representations made can be depended upon, and where, in order to obtain full value, no judgment of qualities is needed.

We are happy to announce that within the past few days we have opened out from among our MR. LUBIN'S recent Eastern purchases a complete and most beautiful line of these very goods, in all the different shades of Black.

The low prices we have been enabled to place on these CASHMERES will, we are satisfied, prove as agreeable a surprise to our patrons as they were to us.

We solicit an inspection on your part, and we wish you to remember that in asking to see these goods, you are not expected to buy, as we never allow any urging or pressing customers to buy against their wishes.

We also ask you to remember that in our House you can safely depend upon the representations made, as we never allow goods to be sold by lies, trickery or misrepresentations.

WEINSTOCK & LUBIN

PROPRIETORS

Mechanics' Store.

CALIFORNIA LEGISLATURE.

XXIII. SESSION—FIFTY-THIRD DAY.

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

SENATE.

SACRAMENTO, February 26, 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 Saturday was read and approved.

MISCELLANEOUS.

Mr. HITTELL offered the following resolution, which was adopted: Resolved, That the Superintendent of Public Printing be directed to have the Senate file printed for distribution on the desks of Senators by 9 o'clock in the morning.

On motion of Mr. WEST, the reference of Senate Bill No. 283, in reference to a branch Normal School, was changed from the Committee on Education to the Committee on Public Buildings and Grounds.

On motion of Mr. SATTERWHITE, the vote by which Senate Bill No. 211—in relation to riparian rights—was lost was reconsidered, and the bill recommitted to the Committee on Irrigation, with instructions to strike out of the first section all after and including the word "lost."

Mr. RYAN presented a petition from the officers of the Mendocino County Agricultural Society, requesting the passage of the Act now before the Legislature placing agricultural associations under State control. Referred to the Committee on Agriculture.

Mr. DAVIS presented a petition from 54 firms and business men of Marysville, asking the Legislature not to pass the insurance bills now before it. Referred to the Committee on Corporations.

On motion of Mr. HUDSON, Senate Bill No. 156 was made the special order for Wednesday next, at 3 o'clock.

Mr. CHENEY presented a memorial from citizens of Chico, inviting the Legislature to visit that city and view the location there offered as a site for a branch Normal School. Referred to the Committee on Public Buildings.

THE REVENUE BILLS.

The Senate then took up the special order of the hour:

Senate Bill No. 397—An Act to amend Sections 3607, 3617, 3627, 3628, 3629, 3630, 3634, 3640, 3641, 3643, 3650, 3651, 3652, 3663, 3673, 3678, 3679, 3730, 3752, 3839 and 3861, and to add a new sect on to be numbered 3664 to, and to re-enact Section 3717 of, Title IX. of the Political Code, to provide revenue for the support of the government of the State—being the bill reported by the majority of the Joint Committee on Finance and Ways and Means.

After the first section had been read Mr. MORELAND offered as a substitute for the bill Senate Bill No. 398—an Act to amend Sections 3607, 3617, 3627, 3628, 3629, 3631, 3634, 3640, 3643, 3650, 3651, 3652, 3663, 3673, 3678, 3679, 3717, 3730, 3752, 3756, 3839 and 3861, and to repeal Sections 3680 and 3687 of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to revenue, and to add two new sections numbered 3664 and 3665—being the bill presented by the minority of the joint committee.

Considerable discussion followed on the order in which the bills should be taken up, and it was agreed that, on the motion of Mr. MORELAND, the whole question was open for discussion.

Mr. MORELAND took the floor and spoke in favor of the minority bill and against the majority bill. He held that the minority differed from the majority mainly in the fact that it proposed to re-enact substantially the law that was in force in this State before the decision of the Hibernia Bank case. He objected to the first section of the majority bill first, because it was a conundrum; second, because it attempts to reverse every decision of the Supreme Court of the United States and every decision of the Supreme Court of this State prior to the Hibernia Bank case; third, because, in his opinion, it was unconstitutional; fourth, because it was discriminating; and fifth, because it was unjust.

THE MAJORITY SIDE.

Mr. PARDEE—Mr. President, it may be well for me, sir, as having been Chairman of the Joint Committee on Finance of the Senate, and Ways and Means of the Assembly, to express my views upon the two bills that are now before the Senate for its consideration. I believe it has been known to most of the Senators here that I have been laboring under a physical difficulty for the last month from the effects of a cold that has terminated in bronchitis. Under these circumstances I have taken the trouble to write my views in manuscript form, and I will ask the indulgence of this Senate that I may be allowed to have the Secretary of this Senate to read them for me.

Leave was granted, and the SECRETARY read the speech of Mr. Pardee, as follows:

SPEECH OF SENATOR PARDEE.

Mr. President: As Chairman of the Committee on Finance, I suppose it is expected by the Senate that I will submit some views in support of Senate Bill No. 280 in addition to those presented in the majority report which has been printed and is now in the hands of the Senators. No subject engages the attention of the legislator upon which constituents are so sensitive as that of taxation. No other subject is so far-reaching, and none, however wisely devised, is regarded with so much disfavor. The right exercised by the State in taxing its subjects is the most arbitrary of all governmental functions. Taxation is a forced contribution to the support of Government, and as it is brought home to every citizen, each claims and exercises the right to criticise and challenge the fairness of the principles upon which it is based. The great point to be attained is to make taxation exactly just and strictly equitable. The members of the committees of the two houses having this subject under consideration seemed, individually, to realize the importance of the subject, and to have evinced a desire to so deal with it as to bring the product of their labors within the equities of the rule I have suggested; and yet there is a wide divergence in the conclusions reached by the minority and majority.

Taxation is a necessity of government, and may not be avoided, but a wise statesmanship admonishes us that the system whereby the revenues of a State are levied and collected should be framed with such care and skill that this attribute of discouragement shall not fall too heavily upon those forms of individual or associated effort. The great diversity of form in which property varies finds expression has given rise to sharply-defined differences of opinion as to the methods of assessment, and the chief difficulty we will encounter on this floor in harmonizing conflicting views will grow out of the subtleties of distinction between the values of actual, tangible property, and the values arising out of the use and ownership of property, and the prospective and hypothetical profits of such use and ownership. The point at which you will find it most difficult to avoid double taxation will be in the effort to distinguish between evidences of ownership and the tangible things such evidences stand for. The relation of many persons to the same property may assume endless variety of form. It is not always easy to clearly perceive that we do not create property by regarding these various relations as in each case a new value. It is the object of Government to tax property in individuals; it should also be kept clearly in view that any system of taxation, to be just, should distribute the burdens of taxation without prejudice. The most dangerous, unjust and inequitable method of fostering one interest or discouraging the many forms which property may take, is by fostering on the one hand by way of exemptions and obstructing on the other by inequitable taxation. The one great leading difference (and for the present I will ignore other differences that may exist) between the views as expressed by the majority and the minority reports now before this Senate relates to the method of assessing the certificates of stock which represent the interest or shares of individuals in the property of the corporation. The majority report advocates a method of assessing to individuals the premium which may be existing upon the par value of any stock. The bill accompanying this report, and reported favorably upon by the majority (Senate Bill No. 280), embodies this principle. The minority report advocates a plan to assess to the corporation all its property, franchises, all matters and things capable of private ownership of which it may be possessed, and also of assessing to the corporation the marketable value of the stock, after first subtracting therefrom the value of property assessed to it. The argument presented by the majority against this proposition might be deemed sufficient, and, in fact, is capable of but little additional elaboration. The considerations to which it gives rise are obvious and easily exhausted. The capital stock of a corporation, when represented by certificates of shares, is nothing more nor less, and can be nothing more, than an evidence of the proportional ownership of individuals in the property of which the corporation may be possessed. If all the property owned by a corporation is assessed to the corporation, then all the property values which constitute the basis upon which the value of the shares rest has been represented in that assessment. It is well-known to every one familiar with the subject that in practice property is not assessed at that value at which it sometimes finds a market. Stocks of merchandise are not assessed upon the basis or estimated at the price at which some particular piece of goods or some single piece of ware would sell, but are assessed in gross. Land has not been, and will not hereafter be assessed up to the full market price at which it was purchased or at which it would change hands.

It has been the universal custom, and will continue to be, that real estate in cities and towns is not assessed to the valuation placed upon it by the owner. The Assessor does not fix that aluation upon the house and lot in town, or a farm in the country, which would be determined by the price at which the owner of such property would part with it, and this rule holds good with every species of property held in individual or private ownership. Now, there is this distinct difference between the value of property owned by corporations and the quotable value of certificates of shares of the capital stock of that corporation, that the selling price of such certificates of stock indicates the estimate of value at which the owners of the property would dispose of it. To find a complete parallel to the proposition made by the minority committee and apply it to individual property it would be necessary to take a farm for illustration, for the Assessor to assess the value of the farm, then assess the title or right of ownership in such farm, and from the latter subtract the former. Or, to apply this principle to a stock of merchandise: First assess the entire stock of merchandise, then ascertain by invoice what the stock would be worth upon the basis of what one yard of calico or of silk, or any other article, would bring at retail.

What I have sought to bring into view by these illustrations may be, perhaps, more clearly presented in another form. In the bill proposed by the minority the method of arriving at assessable values is declared to be what the property assessed would be received at in the payment of a solvent debt. Let us examine this for a moment. A. owes B. $5,000. A. is a perfectly solvent creditor. B. will receive his $5,000. A. proposes a liquidation of his debt to B. by transferring a certain piece of property. Now, since A. is a solvent creditor, B. will take that property at such valuation as will enable him to immediately convert it into cash. The property in liquidation of the debt must be as readily convertible into cash and available to B. as the obligation of A. is to him. The immediate availability of the piece of property depends upon its possession of such value as that at any time it may be exchanged for money. Now, it is well known that when individual property is estimated upon this basis it is rarely ever assessed for more than sixty per cent. of its value. Assessing the property of corporations by this standard would attach to all property owned by the corporations the same valuation that is attached to individual property; but property held in corporate relation has a retail representation in the individual pieces, called shares of stock. If this stock is assessed at its market value, then corporate property will be assessed for every dollar it might bring in the most favorable market. This broad distinction is set up and a penalty is inflicted for holding property in corporations. This in practice will operate as a broad discouragement to the association of capital in corporate forms. After all, what are these corporations which of late have become such a bugbear in the community, and why are they the never-ceasing object of attack? As for myself I cannot see any just ground for the prejudice so universal, and for the hostility which everywhere finds expression in respect to corporations. Let us analyze a little and see whether right reason justifies such a senseless raid. I apprehend that the prejudice against corporations arises not from what modern corporations do or fail to do, but from that just and proper hostility which has been handed down to us from former generations, to monopolies granted by the crowned heads of the world to favorite subjects possessed or devoid of merit and of obedience to the imperial whim. As civilization has advanced, as representative authority has been extended, as law has gradually obtained sway, the monopoly of ancient days was curtailed by legislative authority, and that, too, against the protest of the crown. The exclusive right in the State granted to one individual or to a limited number of individuals to deal in a particular luxury, or even necessity of life, was justly odious; and it is surprising to us of the present age that, as an attribute of sovereignty, it retained its power through so many generations. When parliaments undertook to curtail the powers of the crown, they from time to time also curtailed the exclusiveness of the privileges granted to subjects. Monopolies granted by Parliament crossed the Atlantic with our forefathers and tended to the establishment of class caste, and, of course, aroused all the antagonisms of the many who had dealings with the monopolists and were excluded from the privileges which the few enjoyed. Since the revolution there has been a steady and gradual restriction and limitation put upon what may be termed special privileges, until in the present day I doubt whether there is a Constitution of any State in the Union which allows an advantage to any one class which another may not enjoy under like circumstances. Formerly a franchise was a sort of indefinable thing that possessed value, its value not depending upon the tangible properties used in the enjoyment of the franchise, but upon the exclusiveness of its privileges. We talk now, and the Constitution talks, about franchises as if we were antediluvians. There is no corporation in this State at the present time, nor has there ever been, which was worth any more in and of itself than it cost to file the articles of incorporation in the public offices as provided by law. There is no corporation in the State to-day merely as such, stripped of the property possessed by it and the brains that operate it, that would sell under the hammer for one dollar. Nothing remains to corporations of the present age in this country, so far as constitutions and law deal with the subject, that has the slightest resemblance to the earlier-times monopolies which they have supplanted. They are now created by law and controlled and regulated by law, and all the privileges they confer are alike open to all. Dissolve one of them in the modes pointed out by the statute, and what remains but their tangible property? Make an auction and what would be offered for sale but its tangible property. Corporations are really convenient methods of associating labor and capital, or of associating different kinds of labor. To illustrate: the owner of a quartz claim can pass his title thereto to a corporation organized for the purpose of constructing the necessary works and developing the claim. Those whom he associates with him agree to furnish—some of them money and others labor—and each has issued to him a paper, showing how much his interest is in the venture. What propriety or equity is there in first assessing the mills constructed by this corporation; second, the mine, and then in addition those pieces of paper which evidence the relative extent of interest which the parties hold in the general property? What new form has the property taken on that should subject it to a different rule of assessment from that which would have obtained had the property remained in individual proprietorship?

But we are told that the new Constitution commands us to adopt the views and methods recommended by the minority. To this I answer that I do not believe the people, in adopting the new Constitution, so understood it, nor intended to make any such inequitable or unjust rule. Not being learned in the law, I will not attempt to harmonize the strange provisions of that strange instrument. I prefer rather to be guided by that sense of justice which places all citizens, all classes, high or low, rich or poor, on an even plane.

Mr. President, I have listened nearly every day since the Legislature convened to dissertations and discussions as to the true interpretation of the new Constitution. I had thought before coming here that the subject had been rendered threadbare in the hands of editors and orators while the canvass was progressing that preceded its adoption. Dire calamities were predicated, whatever might be the fate of the new instrument. I think I may safely say that a very large percentage of the intelligence of the State, and of those representing its material interests, preferred the old to the new. That conservative class upon which the preservation of States so largely depends was satisfied with the fundamental law under which the State had been so prosperous. In my judgment some of the results predicted upon the adoption of the new Constitution are being, and are likely to be realized. There is abroad a quiet, unpronounced distrust in the stability of California affairs. There is a deep-seated, but not outspoken sentiment of lack of confidence. There is a want of respect for law and order; there is a sense of insecurity to both persons and property, which has taken a deep hold upon the community. The leading papers of the old States, published in the best-regulated communities, speak of California as a decaying and disturbed province, where property is insecure, life is held at a low value, and where anarchy may become spontaneous at any time. The effect of convictions like these is to take out of California many of the men who have done most to develop her resources and who made her what she has been in the past—the admiration of the age. Her pioneers and her earliest settlers, who by their enterprise and economy have done so much for the State, are contemplating with how much of their honorably-acquired means they can take their departure from the uncertainties which they feel surround them here. This spirit of change, radical in its character, cropping out in a fundamental law, as is too often the case, is mistaken for reform. Reforms, to be effective and of any value, are not the work of an hour, nor the fruits of violence. It behooves this Senate, regarded as it is and always has been, as the conservative branch of the Government, to deliberate most carefully and to weigh with all the judgment at its command, the principle upon which is to rest the odious rules of taxation. It behooves us, as Senators, to pause and weigh well every provision now under consideration, so that we may do what in us lies to restore tranquillity, to give confidence to business enterprises, and to pronounce our condemnation of any scheme that will operate inequitably and unjustly. No good citizen objects to paying his just proportion towards defraying the expenses of the Government which protects him in life, liberty and the pursuit of happiness. No honest man will seek to escape contributing in proportion to his means towards defraying the expenses of that protection which he has a right to expect many well-ordered community. It is our duty to frame a law upon this subject that will make the properties of the county, according to their actual and not their fancied values, pay their just proportion for the public uses.

It was but natural to suppose that there would be diversity of opinion in respect to the question under consideration. It is too much for us to arrogate to ourselves the power to evolve a perfect system. We shall have acted well our part, in my opinion, if we are able to bring on to the assessment roll, and up to their values, those large bodies of land that have contributed but nominally towards the support of Government, and especially if we should be able to bring within reach of the Tax Collector the hundreds of millions of money and mortgages and solvent debts, which have heretofore evaded taxation and thereby led directly up to the constitutional revolution which has recently so agitated the public mind. These objects attained by this Legislature, if nothing more be accomplished, will tend to allay the public discontent and restore that confidence which has for many months been on the wane.

I entered upon the consideration of this subject from the first, impressed with the controlling conviction that if the results could be effected which, in my opinion, will be carried out by Senate Bill No. 280, all would be accomplished that ought to be expected at this session of the Legislature. If the provisions of this bill are rigidly and honestly enforced by the Assessors, and tax Collectors charged with their execution, as much will have been realized as any reasonable citizen had a right to expect. This is not the last Legislature that will convene and deal with this subject. Our errors may be corrected, and our short-comings will be made manifest by experience. In less than one year there will be another session of the Legislature, which will have the benefit of the practical workings of the changes we have made in the revenue system, as well as the advantage, probably, of a judicial interpretation of the clauses of the Constitution bearing upon this subject. About our right, under the Constitution, to go as far as Bill No. 280 proposes to go, there seems to be no difference of opinion. Pass beyond those limits, and into the domain of constitutional doubts and uncertainties, and you open the field and invite to enter those persons who might feel that they had been wrongfully brought within the purview of a revenue law, and litigation may follow obstructive to Assessors and Tax Collectors, which would seriously jeopardize the realizing of any revenues, and hence place at hazard the means of carrying on the Government.

Mr. WENDELL followed on the side of the minority bill.

At 12:30 P. M. the Senate took the usual recess.

AFTERNOON SESSION.

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

Roll called and quorum present.

The Senate resumed consideration of the bills on taxation.

Mr. WENDELL continued his remarks in favor of the minority bill.

Mr. JOHNSON moved to postpone the further consideration of the bills until to-morrow morning at 11 o'clock, in order that some differences in the bills might be adjusted between the friends of each bill.

After considerable discussion the motion was lost by a vote of 14 ayes to 23 noes.

THE CHINESE CASES.

Mr. DICKINSON offered a concurrent resolution appropriating $10,000 to pay for the services of legal talent to assist the Attorney-General in prosecuting the case against Parrott in the United States Circuit Court, which is set for the 28th.

A long discussion followed on the resolution.

Messrs. DICKINSON, JOHNSON, NEUMANN, CHENEY, TRAYLOR, ENOS and CONGER spoke in favor of it, and Messrs. DAVIS, HILL, BAKER, CHASE, PARDEE and KANE spoke against it.

Mr. DAVIS offered a substitute for the resolution, inviting all members of the legal profession to volunteer their services in defense of the law recently passed prohibiting corporations employing Chinese.

Mr. JOHNSTON moved to adjourn.

The motion was lost by a vote of 4 ayes to 33 noes.

Mr. SEARS spoke in favor of the substitute.

Mr. DICKINSON opposed the substitute.

Mr. WENDELL opposed the original resolution and the substitute.

Mr. JOHNSON opposed the substitute.

Mr. SATTERWHITE said that the original resolution would not accomplish anything, because it was not in proper form. He opposed the substitute.

The substitute was lost by a vote of 16 ayes to 21 noes.

Mr. PARDEE moved to amend by striking out $10,000, and inviting Hon. John Garber and Hon. Samuel H. Dwinelle to appear for the State.

The amendment was lost by a vote of 16 ayes to 21 noes.

The original resolution was lost by a vote of 15 ayes to 20 noes.

Mr. DICKINSON gave notice of a motion to reconsider.

THE REVENUE BILLS.

Mr. SEARS moved that the revenue bills be made the special order for to-morrow immediately after the reading of the journal.

Mr. MORELAND moved to make them the special order for this evening at 7:30.

The amendment was lost.

Mr. SEARS' motion prevailed.

The other special orders were continued in their places on the file.

On motion of Mr. JOHNSON, at 5:15 P. M. the Senate adjourned.

ASSEMBLY.

SACRAMENTO, February 26, 1880.

The Assembly met pursuant to adjournment, Speaker Crowley in the chair.

Roll called and quorum present.

Prayer by the Chaplain.

Journal of yesterday corrected.

PETITION.

Mr. BROWN of Sonoma presented a petition from temperance associations protesting against an appropriation for the culture of the grape.

Mr. WASSON presented a petition from citizens of Ventura, in relation to salaries of county officers.

REPORTS OF COMMITTEES.

The Committee on Attaches reported back the resolution for the employment of a Clerk to the Committee on Irrigation, and the resolution was adopted.

The Committee on Claims reported back the bill for the payment of the Code Commissioners, recommending that it do not pass. The committee reported back the bill for the payment of the deficiency in the Constitutional Convention fund. They reported that the members, officers and attaches were entitled to full pay for the full 100 days, and submitted a bill to appropriate the sum of $20,000 for that purpose. The committee also report that the officers and attaches are entitled to compensation for services rendered during the 57 days of said Convention over and above the 100 days, and the committee submitted a bill appropriating the sum of $7,014 for that purpose. As to the payment of the members for the 57 days, the committee could not agree, and report the bill back without recommendation.

The Committee on Mileage reported that $100 were due to the Committee on Military Affairs.

The Committee on Roads and Highways reported back Bills Nos. 217, 285 and 305, with a substitute embodying the provisions of all three bills.

The Committee on State Prisons reported back Assembly Bill No. 154—An Act for the regulation of convict labor, and abolishing contract labor on public works; also Assembly Bill No. 369, recommending that they be indefinitely postponed. Also, Assembly Bill No. 313—An Act to authorize the cutting of the hair of convicts—recommending passage as amended.

BILLS INTRODUCED.

By Mr. STREETER—An Act to provide for the improvement of streets within cities of less than 10,000 inhabitants.

By Mr. MCCARTY—An Act to prevent hogs from running at large in Lake county.

By Mr. HERSHEY—An Act amending the Penal Code in relation to fish. [The bill referred to changes the time in which all persons are prohibited from catching salmon. It is believed that a less time by two weeks, and fixed at an earlier period of each year, would better protect salmon. The provisions of this bill are general, wh reas certain counties are exempt under the Code. The above are the changes of Section 634 of the Penal Code. Section 636 of the Penal Code will be changed from its application to all kinds of fish to that of taking salmon only. The penalty of the Code is now misdemeanor; under the bill it will be fixed by law from $100 to $250, or imprisonment from 100 days to six months, or both. It changes also the disposition of the fines collected.]

By Mr. WARD—An Act to prohibit civic and political societies from carrying firearms through the public streets.

By Mr. MORSE—An Act to amend Section 1094 of the Political Code. [The bill requires, or rather, gives power to the Board of Supervisors to make a Great Register whenever they deem it necessary, upon giving three months' notice, and registration therein must be the same in all respects as an original registration. The change is in this: now a party may be registered by simply stating that he was on the old one; but under this bill he must be registered as he was originally, being sworn, etc. The object is to remove from existing registers fraudulent voters. Consolidated cities and counties are excepted in the Act.]

By Mr. MESSENGER—An Act to amend Section 2730 of the Political Code. [Amends the Political Code so that Boards of Supervisors can, in their discretion, advertise for plans, specifications and bids for bridge-work on the public highways at the same time.]

By Mr. HARRIS—An Act creating a Board of Wharfage Commissioners. [The bill provides for the division of the State into three districts, and the election of one Commissioner from each district, who shall form a Storage and Wharfage Commission. The Commissioners to be elected at the next election, to hold office for four years from and after the first Monday after the first day of June, next ensuing their election. They shall organize and elect one of their number President. Principal office, San Francisco. The powers and duties are to establish and regulate the rates and charges for storage and wharfage to be charged by persons doing such business in the State.]

By Mr. ADAMS—An Act to amend Section 1276 of the Code of Civil Procedure, relative to changing the names of persons and corporations.

THE NORMAL SCHOOL PROPOSITION.

Mr. ADAMS presented a communication from the City Council of Santa Rosa, offering to convey to the State of California, free from any incumbrance, a building and twenty-four and five acres of ground situate in the city of Santa Rosa, known as the Christian College, provided the State will maintain in said city a normal school. Said building is capable of accomodating 350 students, and the building and grounds are inclosed by a substantial fence. A lithograph accompanies the memorial.

On motion of Mr. FOX a number of Senate bills were placed at the head of the file.

CHANGE OF RULE.

Mr. BRAUNHART moved to amend the rules in relation to mileage. Adopted.

THE REVENUE BILLS.

Mr. YOUNG spoke in favor of bill No. 403, reviewing the two bills and comparing their different provisions. Bill No. 404 he denounced as a gross injustice, not to capital alone, but to men of moderate means. The argument was exhaustive from the legal standpoint. He reviewed the history of taxation from the organization of the Government, citing a large number of authorities in support of his position. He held that double taxation, direct as well as indirect, must ensue from the adoption of bill No. 404. He took it up section by section, dissecting each section and clause, pointing out its crudities and incongruities, comparing the provisions with those of bill No. 403, and with the provisions of other States.

Mr. FOX said it was not so much the fault of the laws that property has escaped taxation as it was that public officers have failed to perform their sworn duty. He would point out the way by which those who have escaped in the past shall not escape in the future. The people have sat supinely down and allowed the laws to be violated, but the Constitution makes it so plain now that it cannot be evaded. Both of the bills before us propose to tax the stocks of corporations. One will collect the tax and the other will not. The capital stock of corporations and the capital of corporations are two different things, and the Supreme Court has so declared. Both bills propose to tax both these things. The law of the State from 1850 down has required that both these things should be taxed, but the laws have not been enforced. The capital of a corporation consists of the moneys and property which constitutes the basis of its operations. The capital stock of a corporation is the interest which the individual corporators have in the capital. There is a marked difference between the two. The money in the pool-box at the race-course is the capital, the tickets represent the interest which the players have in that capital. One is the capital, the other is the stock in the capital. One bill says this stock shall be assessed to the individual who holds it; the other says assess it to the corporation, which does not own it. Now after it has been assessed to the corporation, which does not own it, how is the Collector going to get the tax? These millions will look very big on the assessment roll, and the rate of taxation will be reduced the first year, but the second year the taxes will be doubled to pay the deficiency. So far as collecting taxes upon persons residing outside of the State, it cannot be done under any circumstances. The only way is to tax those stocks to the persons who own them, and then the tax can be collected, for the Assessor can find out from the books exactly who does own them.

Mr. ANTHONY said he was with Mr. Fox in the great principles which he advocated, but that gentleman is mistaken in some of his deductions. The bone of contention is, that the provisions of the Constitution are not embodied in bill No. 403. He read from the Constitution to show that bill No. 404 is the only one that conforms to the provisions of the Constitution.

Mr. SIMON said he had endeavored to study this question from a disinterested standpoint. He read statistics to show that certain corporations should have paid $7,000,000 in taxes according to their own sworn statements, while the figures show that they only pay $800,000. If they were compelled to pay taxes on what they swear they are worth, the rate of taxation would be reduced one-half. These are the abuses that are sought to be remedied by Bill No. 404. The fact that these corporations escape taxation throws a quintuple burden upon the balance of the taxpayers. He referred to a large number of banks which go untaxed. If the corporations cannot pay their taxes, then God speed them in their departure from the State.

Mr. BRAUNHART took the floor and replied to the arguments on the other side. He claimed that the bill No. 404 had been misrepresented. He claimed that the men who worked to defeat the Constitution at the polls are not yet willing to accept the situation. He read from the inaugural address of Governor Perkins on the subject of revenue and taxation, showing that bill No. 404 is in exact accord with his views, and the speaker indicted the Republican members for going off on the wrong track. He himself was opposed to double taxation, but he denounced the clause in bill No. 403 as being intended to throw all assessments into the Courts. Under that bill stocks can never be reached, for the owners have only to cross the line on the 1st day of March.

Mr. TYLER spoke, directing his remarks to Section 8 of 404. There had been a great many threats made on the floor to members in regard to these measures. If the bill cannot stand on its own merits it had better go down. He addressed himself to the discussion of the importance of the great mining regions, of which San Francisco is the center. If the bill is passed there will not be twenty mining corporations in the State. This bill will drive them all out of the country. Men cannot allow their companies to be taxed in this way. While he wanted to break up the ill honest practices complained of, he was also in favor of fostering the mining industries. He compared the leading newspapers of the State with the mines. The pa