SACRAMENTO DAILY RECORD-UNION.

DAILY UNION SERIES—VOL. XLIX—No. 7477.
DAILY RECORD SERIES—VOL. XVI—No. 2477.

SACRAMENTO, SATURDAY MORNING, APRIL 10, 1880.

DAILY RECORD-UNION SERIES, VOLUME 11—NUMBER 42.

THE DAILY RECORD-UNION.

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

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THE WEEKLY UNION
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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 0[illegible]

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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.

WANTED—A RESPECTABLE YOUNG MAN desires to obtain a wife. Address "A. Z.," this office. ap9 3t*

WANTED—BY AN AMERICAN WOMAN A position as housekeeper or to do general housework. Apply at this office. ap7-6t*

WANTED—A MIDDLE-AGED WOMAN TO do the Cooking, Washing, Ironing and general housework in the family of an Army Officer. The family consists of two grown person, a nurse-girl and a little boy. To a competent and reliable woman a permanent home and good wages will be given. Apply, with references and full particulars, to CAPT. A. W. CORLISS, Eighth U. S. Infantry, Fort McDermit, Nevada. ap3-2w*

WANTED—BY AN ACTIVE AND RELIABLE man, a fire Insurance Agency of a good company not now represented in this city. Address CARL STROBEL, No. 321 J street, Sacramento, Cal. ap1-tf

TAKE NOTICE,—BANK BOOKS AND ACcounts against the Capital Savings Bank, either in small or large amounts, bought by M. J. Simmons, Auctioneer, 412 J street, between Fourth and Fifth. mr30-tf

ANYONE IN NEED OF A RELIABLE BOOKkeeper, Copyist or Correspondent in English, French or German, for a few hours a day, may be accommodated by addressing or calling at HENRY FUCHS, No. 529 K street, Sacramento. Best of city references given. mr27 1p1m

WANTED—AT HOUSTON'S EMPLOYMENT Office, Fourth street, one door south of K. ALL KINDS OF HELP, Male and Female. Particular attention paid to supplying families and hotels with help, FREE OF CHARGE. m13-1m

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.

MONEY TO LOAN, IN SUMS TO SUIT, BY P. BOHL. ap5-tf

FOR SALE—A DRUG STORE AND FULL Stock of Drugs, doing a good business. Clears $200 per month. For particulars, inquire at this office. ap5-1p2w

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. [mr24-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. [mr16-1p1m]

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. mr14-1m

WATCHES, CLOCKS, JEWELRY

J. B. KLUNE.
(Late with Wachhorst, and successor to Floberg,)
WATCHMAKER AND JEWELER, No. 60 J street, between Second and Third. Dealer in Watches, Clocks, Silverware, Jewelry, etc. Repairing in all its branches a specialty, under MR. FLOBERG. [ap8-1p1m]

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. [ap7-1p1m]

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. [d29-1ptf]

CHICKERING & SONS' PIANOS!

No. 820 J Street ... Sacramento.
WAREROOMS:
No. 23 Dupont street - - 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. mr20-1p1m

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. '82

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, $54,116,893.

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

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 Rock 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. ja30-1p3m

PAPER AND DRY GOODS BOXES MADE TO order by EUGENE MEYER, No. 529 K street, Sacramento, Cal. mr27-1p1m

PEOPLE'S STORE.

Not alone in our own interest, but that of every one whose eyes scans these lines, and whose heart beats high in hope and faith are these words issued; for even though you never visit our place of business, nor favor us with an order, still these earnest and faithful figures are placed before you to point out with unerring certainty what a mighty word "CASH" is, and how it places before us articles at astounding figures.

During the last week, we are in receipt of a shipment of

FINE LINENS,

Purchased by our buyer, MR. EARNEST KAHN, of New York city, at a Great Dissolution Sale of a large English Linen Firm. It is not necessary to dwell upon these bargains, for as we place them before the public they speak for themselves.

WE HAVE AT

12½c.
A Splendid Loom Dice Towel,
(32x15 in.)

20c.
A Satin Damask Towel,
(34x19 in.)

25c.
A Satin Damask Towel,
(39x20 in.)

25c.
An Extra Large and Heavy German Loom Towel,
(36x22 in.)

33c.
A Double Damask Satin Faced Towel
(30x32 in.)

THE GRANDEST LOT

—OF—

TABLE LINEN

EVER SHOWN IN THIS CITY.

A Heavy Loom Dice Linen	at 30 cents
A Splendid Loom Dice Linen	at 35 cents
An Extra Heavy Dice Linen	at 45 cents
Superfine Heavy Dice Linen	at 60 cents

Bleached Satin-Surfaced Damasks!

8-4 Extra Heavy	at 60 cents
9-4 Very Fine	at 95 cents
9-4 Elegant	$1 00

NAPKINS!

A Heavy All-linen Napkin	at $1 00
A Heavy All-linen Napkin	at $1 15
A Heavy All-linen Napkin	at $1 25
A Heavy Very Fine Napkin	at $1 50
A Heavy Superfine Napkin	at $2 50
A Heavy Double Satin-surface Napkin	at $3 00

☞ **In addition to the above, we are daily receiving NEW SPRING GOODS, in all qualities.**

A CHOICE LOT OF

BLACK TRIMMING SATINS!

A Good Quality	at 65 cents
A Good Quality	at 85 cents
A Splendid Quality	at 90 cents
A Very Rich Quality	at $1 00
A Superb Quality	at $1 15

☞ Our $1 25, $1 35 and $1 50 grades are rich and handsome.

☞ SAMPLES OF ANY GOODS SENT ON APPLICATION.

Store open till 8 o'clock on week evenings, and open till 9 o'clock Saturday evenings.

PEOPLE'S STORE,

No. 600 J STREET,

SOUTHEAST COR. SIXTH, SACRAMENTO.
POSTOFFICE BOX 28 ... ap6-1pTuThS

CALIFORNIA LEGISLATURE.

XXIII. SESSION—NINETY-SIXTH DAY.

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

SENATE.

SACRAMENTO, April 9, 1880.

The Senate met pursuant to adjournment, President Mansfield in the chair.

Roll called and a quorum present.

The journal of yesterday was read and approved.

PETITIONS.

Mr. LANGFORD presented three petitions relative to Assembly Concurrent Resolution No. 19, concerning public lands.

REPORTS.

Mr. NEUMANN, from the Committee on Elections, reported back adversely Senate Bill No. 553—An Act to provide for the election of Superintendents of Schools and Assessors, and to fix their terms of office.

Mr. HITTELL, from the Committee on City and Town Governments, reported back the following bills, with the recommendation that the authors have leave to withdraw them: Senate Bill No. 110—An Act to amend Sections 394 and 398 of the Code of Civil Procedure, relating to the place of trial of civil actions; Senate Bill No. 272—An Act reducing fees for the commencement of actions in Justices' Courts in the city and county of San Francisco; Senate Bill No. 375—An Act to provide for the payment of certain claims against the city of Eureka.

Mr. JOHNSON, from the Committee on Irrigation, Water Rights and Drainage, reported back without recommendation Assembly Bill No. 177, relating to homestead corporations possessed of water rights.

Mr. NYE, from the Committee on Judiciary, reported back bills with the following recommendations: Assembly Bill No. 50—passage; Assembly Bill No. 233—passage; Assembly Bill No. 224—without recommendation; Assembly Bill No. 391—passage.

Mr. ROWELL, from the Committee on County and Township Governments, reported back without recommendation Senate Bill No. 547.

Mr. HITTELL, from the Committee of Free Conference on Senate Bill No. 174—amending the Probate law—reported in favor of the Assembly receding from its amendment. The report was adopted.

GOVERNOR'S MESSAGES.

The messages from the Governor were taken up and read:

The appointments of John F. Kessing of San Francisco as Inspector of Gas Meters, vice George, term expired; and Oliver Eldridge of San Francisco as Pilot Commissioner for the ports of San Francisco, Mare Island and Benicia, vice Gallup, term expired, were laid over for one day.

Also messages announcing his approval of Senate Bill No. 23—An Act to amend Sections 86, 89, 227, 228, 504 and 514 of the Penal Code, relating to crimes and punishments; Senate Bill No. 191—An Act to repeal an Act entitled an Act to create and organize Reclamation District No. 205, and to define its boundaries and provide for its government, approved April 1, 1878; Senate Bill No. 234—An Act concerning the trial of convicts for crimes committed in the State Prison, and the costs of the same; Senate Bill No. 399—An Act to amend Sections 1517, 1521, 1532, 1543, 1545, 1548, 1550, 1551, 1557, 1593, 1597, 1598, 1600, 1611, 1616, 1617, 1619, 1620, 1621, 1622, 1624, 1662, 1663, 1665, 1666, 1696, 1701, 1712, 1715, 1768, 1769, 1770, 1771, 1772, 1774, 1775, 1787, 1788, 1790, 1791, 1817, 1818, 1834, 1835, 1836, 1837, 1857, 1858, 1859, 1861, 1869, 1871 and 1874, and to repeal Sections 1652, 1669, 1670, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1757, 1758, 1777, 1793, 1838, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852 and 1872 of the Political Code, and to add five new sections thereto, to be known as Sections 1565, 1583, 1703, 1704 and 1879; and Senate Bill No. 39—An Act to amend Sections 682, 784, 787, 788, 789, 790, 792, 800, 801, 802, 806, 888, 949, 950, 951, 953, 954, 955, 957, 958, 959, 960, 961, 964, 965, 966, 967, 968, 969, 970, 971, 972, 976, 977, 981, 982, 985, 988, 9[illegible]9, 990, 995, 996, 997, [illegible]98, 999, 1004, 1005, 1008, 1009, 1012, 10[illegible]6, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1047, 1048, 1052, 1065, 1074, 1093, 1095, 1098, 1099, 1100, 1103, 1104, 1113, 1114, 1115, 1117, 1121, 1125, 1126, 1131, 1141, 1148, 1150, 1151, 1155, 11[illegible]8, 1159, 1160, 1165, 1170, 1181, 1185, 1187, 1188, 1200, 1207, 1238, 1273, 1284, 1285, 1287, 1289, 1310, 1326, 1335, 1346, 1349, 1354, 1358, 1368, 1370, 1373, 1382, 1383, 1395, 1396, 1401, 1429 of the Penal Code, and to add a new section thereto, to be known as Section 809, to provide for prosecutions by information, and to adapt the provisions of said Code thereto.

Mr. BAKER moved to amend the rules so that all motions to take up bills out of order shall be decided without debate.

Laid over one day under the rules.

ASSEMBLY MESSAGES.

The Assembly messages were taken up, bills were read first time at length and referred to appropriate committees.

SECOND READINGS.

The Senate took up the second reading file as follows:

Assembly Bill No. 472—An Act to encourage the mining industry and to suppress stock gambling (by Mr. Braunhart)—was read second time. Almost all of the amendments proposed by the committee were voted down.

Mr. NEUMANN moved to indefinitely pospone the bill.

The motion was lost by a vote of 12 ayes to 24 noes.

Mr. CONGER made an earnest speech against ordering the bill to a third reading. It was an infernal monstrosity.

Mr. NEUMANN said if the committee amendments had been adopted he would have voted for the bill, but as it was he could not do it.

The bill was ordered to a third reading by the following vote:

Ayes—Anderson, Baker, Burt, Brown, Carlock, Davis, Enos, Glascock, Gorman, Harlan, Hill, Johnson, Moreland, Nelson, Nye, Pardee, Pool, Rowell, Ryan, Satterwhite, West, Zuck—22.

Noes—Byrnes, Chase, Cheney, Conger, Dickinson, George, Hittell, Johnston, Kelly, Lampson, Neumann, Sears, Traylor, Watson—14.

THE ADJOURNMENT.

Mr. JOHNSON moved to reconsider the vote by which the Senate yesterday refused to adopt the Assembly concurrent resolution relative to adjournment sine die.

The motion prevailed by a vote of 32 ayes to 3 noes.

Mr. WEST moved to reconsider the vote by which the Senate yesterday amended the resolution by naming the 17th the day for adjournment.

Mr. LAMPSON moved to strike out "17th" and insert "15th."

Mr. WEST withdrew his motion.

Mr. ENOS favored adjourning on the 13th, the day on which the 100 days expires.

Mr. LAMPSON'S amendment was lost by a vote of 17 ayes to 20 noes.

The resolution as amended was then adopted by a vote of 22 ayes to 15 noes.

SECOND READINGS RESUMED.

Assembly Bill No. 551—An Act to amend Section 3640 of an Act entitled an Act to establish a Political Code, approved March 12, 1872, relating to revenue (by Mr. Hartson).

Mr. DICKINSON moved to refer the bill to the Committee on Finance.

The motion prevailed by a vote of 22 ayes to 15 noes.

Mr. ZUCK moved that the committee be instructed to report to-morrow morning.

The motion was lost by a vote of 15 ayes to 22 noes.

Assembly Joint Resolution No. 23—Relative to the establishment of a quarantine station on Angel Island (by Mr. Tyler)—was read a second time and ordered to a third reading.

Senate Bill No. 134—An Act for the classification of cities and towns (by Mr. Neumann)—was withdrawn.

Assembly Bill No. 489—An Act to amend Sections 1917, 1934, 1939, 1941, 1955, 196[illegible], 1973, 1974, 1975, 1982, 1986, 1990, 1992, 2022, 2028, 2039, 2059, 2095, 2099, 2077, 1942, 1970, 1962, 1965, 2094 and 2114 of the Political Code of California, to repeal Section 1975 of said Code, approved March 30, 1878, and Section 1991 of said Code, and to add a new section to said Code, to be known and numbered as Section 1977, relating to the State militia (by Mr. Walker)—was read a second time.

Pending 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.

Mr. NEUMANN presented a report from Committee on Elections, asking that the question of the eligibility of Senator Chase being governed by the old or new Constitution be referred to the Judiciary Committee. So ordered.

Mr. CARLOCK offered a resolution allowing Clerk of Committee on Fish and Game pay for his services, $75. Referred to Committee on Contingent Expenses.

THIRD READING.

Mr. JOHNSON moved to take up Assembly Bill No. 334—An Act to promote drainage—out of order.

The motion prevailed.

Mr. HITTELL opposed the consideration of it at present. He supposed the matter was "fixed."

Mr. JOHNSON favored the bill, as a whole, and thought it necessary that something should be done to relieve the people from danger and damage.

Mr. TRAYLOR though the State should do something to protect the farmers. He would support the bill, although there were some things in it he did not like.

Mr. ENOS had no interest in this bill as a farmer or miner, but only as a Senator. He would support the bill.

Mr. CONGER supported the bill. He pronounced the insinuation of the Senator from the Thirteenth, Mr. Hittell, as far as he was concerned, as false, and if he was outside the chamber he would use stronger language.

Mr. HITTELL thought he could be responsible here or elsewhere, but he did not wish to be misrepresented. He had not intended to convey any idea except that the result of the vote was a fixed one.

Mr. CHASE opposed the bill. He did not think it would remedy past damage.

Mr. SATTERWHITE spoke in favor of restraining or restricting hydraulic mining. He thought it cheaper for the State to stop mining by hydraulic power than to tax the people for the next ten years.

Mr. GEORGE regarded this bill as a step in the right direction. He favored the bill.

Mr. GORMAN had opposed the bill from the commencement. He congratulated the friends of the bill on the discipline that had kept them so solid in their support of it.

Mr. JOHNSON moved that the consideration of this bill be continued until it was disposed of. So ordered.

Mr. DICKINSON favored the bill. He deprecated the digressions of Senators from the merits of the bill. When a Senator carefully weighed both sides of a question, and voted according to his best judgment, he had done his duty and was not open to criticism.

Mr. LANGFORD was not very much in love with the bill. He did not believe it was practicable to store the debris and protect the valleys.

Mr. NEUMANN considered it an important question. He thought the bill would benefit San Francisco. He considered it a matter that concerned the State, and should be taken care of by the State.

Mr. ROWELL did not think anything said here today would change a single vote. He thought the miners should build their own dams, and be compelled to do so.

Mr. HILL had no faith in the plan of the bill. He predicted its speedy repeal if passed.

Mr. GLASCOCK thought the bill wrong. The miners have damaged the people, and now the people are called on to pay the damage.

Mr. NYE opposed the bill. He classed it as a subsidy bill.

The bill was passed by the following vote:

Ayes—Burt, Byrnes, Carlock, Cheney, Conger, Davis, Dickinson, Enos, George, Johnson, Glascock, Johnston, Kelly, Lampson, Moreland, Nelson, Neumann, Pool, Ryan, Sears, Traylor, Watson—22.

Noes—Anderson, Baker, Brown, Chase, Gorman, Harlan, Hill, Hittell, Hudson, Kane, Nye, Pardee, Rowell, Satterwhite, West, Zuck—15.

Mr. GLASCOCK gave notice that he would to-morrow move to reconsider the vote by which the bill was passed.

Mr. SEARS moved to reconsider the vote on Senate Bill No. 213, and postpone the reconsideration till to-morrow at 11 o'clock. Motion was carried.

Mr. CONGER moved to allow the Clerk of the Engrossing Committee to correct a clerical error in Senate Bill No. 21. Leave granted.

SECOND READINGS.

Mr. TRAYLOR moved to take up out of order Assembly Bill No. 374—an Act for the promotion of the viticultural industries of this State (by Mr. Adams).

Carried.

The bill was read the second time and ordered to third reading.

Mr. DAVIS moved to take up out of order Assembly Bill No. 580—an Act to protect the school districts of this State from injury during the year 1880 by the operation of Section 12 of Article XIII. of the Constitution (by Mr. Wason of Ventura).

Carried.

The bill was read a second time and ordered to third reading.

The Secretary read a dispatch from seven-eighths of the voters of Mono county, asking the passage of a bill to appoint an additional Judge for Mono county.

On motion of Mr. DICKINSON consideration of Assembly Bill No. 489 was resumed, and the bill ordered to third reading.

On motion of Mr. WEST Assembly Bill No. 476—an Act to provide for funding the indebtedness of cities having a population exceeding 7,000 inhabitants, and not exceeding 100,000 (by Mr. West)—was taken up out of order and read a second time.

On motion of Mr. WEST, this being a substitute for the original bill, it was adopted in its place and ordered to third reading.

Mr. JOHNSTON moved to take up Assembly Bill No. 277 out of order.

Mr. HILL moved to amend by allowing each Senator in alphabetical order to take up one bill out of order.

Amendment lost.

Mr. JOHNSTON'S motion was carried—ayes 20, noes 7.

Assembly Bill No. 277—An Act making appropriation for deficiency in the appropriation for the permanent improvement of the State Capitol grounds lying east of the State Capitol building (by Mr. Young)—was read second time and ordered to third reading.

On motion of Mr. PARDEE, the Senate at 5 P. M. took a recess.

EVENING SESSION.

The Senate reassembled at 7:30 P. M., President pro tem. Baker in the chair.

Roll called and a quorum present.

The Committee on Finance reported Senate Bill No. 559, recommending passage.

The Committee on Judiciary reported Senate Bills Nos. 32, 109 and 24, concurring in Assembly amendments, and Assembly Bill No. 44, recommending passage.

Mr. DAVIS asked to have taken up the Assembly message refusing to concur in the resolution relative to adjournment, and asking the Senate to recede.

Mr. SEARS moved that the Senate adhere to their amendment. Carried—ayes 20, noes 17.

Mr. DAVIS moved the appointment of a Committee of Conference with the Assembly. Carried.

The PRESIDENT appointed Senators Davis, Satterwhite and Traylor.

THE KANE INVESTIGATION.

Mr. ENOS presented the report of the Committee of Investigation of Senator Kane's case.

Mr. HILL—Mr. President, I would like to have the remainder of the testimony read.

Mr. ENOS—Mr. President, I move that the report of the committee and the testimony accompanying the report be read.

Mr. DICKINSON—Mr. President, I would ask that all the testimony should be read. The first batch of testimony is very short. I would ask that both the report and all the testimony be read.

The PRESIDENT—If there is no objection the entire testimony will be read.

The Clerk then read the report of the committee.

Mr. RYAN—Mr. President, I see Senator Kane is not in his seat. Has he been notified to be here?

The PRESIDENT—The Chair is informed that he has been notified through the officer of the Senate.

Mr. DICKINSON—Mr. President, the object of my request is that all the testimony might be read so we might have it all before us in consecutive order this evening, the testimony that precedes this, as well as the testimony taken on the last reference? The testimony taken on the first reference was reported back and read, and then a resolution was adopted, referring the matter back to the committee with instructions to proceed.

The PRESIDENT—The Chair is informed that the testimony taken the other day is published in the journal.

Mr. DICKINSON—Mr. President, I think this a matter of importance, and it will not hurt the Senate to hear the entire testimony.

Mr. HILL—I see no necessity of taking up the time with it.

The PRESIDENT—It has been printed in the journal. If any Senator desires it will be read.

Mr. DICKINSON—I will withdraw the motion if the Senators do not desire to hear it, inasmuch as the testimony has been printed in the journal and in the papers.

The Clerk then read the testimony at length.

Mr. BURT moved that the evidence be published in pamphlet form, but amended by moving it be printed in the appendix to the journal. So ordered.

Mr. DICKINSON offered a resolution providing for the expulsion of Senator Kane for his refusal to testify.

Mr. ENOS offered a substitute, suspending Senator Kane for the remainder of the session.

Mr. ENOS said he thought if the Senate suspended Senator Kane it would be all it could do. He had been guilty of contempt, and this would be all that was necessary.

Mr. DICKINSON said he had examined various authorities, and was sorry to say that he could only think that the course of action necessary would be to act on the resolution presented by himself. He could not agree with Senator Enos, that there had been no crime. Technically, it was not compounding a felony; practically, it was. He quoted from the section regarding lobbying, and also from May's Parliamentary Practice. If there was any action a gentleman could be guilty of which would render him unfit for a seat on this floor, that action had been performed by the Senator from the Eleventh. He referred to the case of a United States Senator and quoted from the report of the Committee on Expulsion, and drew from it the conclusion that the Senate was not to be governed by purely legal rules. He held that the person offering the bribe was guilty of a felony, and that the Senator from the Eleventh was accessory to that felony. He refuses, in spite of his official oath, to divulge the name of the person before the committee. This is the highest Court in this State, and the people demand that it sustain its dignity.

Mr. CHENEY said that he had been at first in favor of expelling the Senator from this body, but after attentively examining the law, and hearing the evidence, he could not see that Senator Kane had been guilty of any crime, and he should support the resolution of Senator Enos. As no one was on trial, Senator Kane could not refuse to testify against him. The Senator himself being on trial before the committee, could not be compelled to reverse the rules and testify against himself. The Constitution did not apply to this case, as it required that the Legislature should pass laws to put it into effect. The Senator had not accepted any bribe. He had simply endeavored to keep his word of honor and his self-respect, and, although he did not wish to see him escape the consequences of his wrong-doing, Senator Kane wrs not the man that could weigh carefully questions of law or any other questions of nicety and weight. The Senate knew what a peculiar man he was, and judge him leniently. He might be the victim of a hoax from some one who wished to hear one of his peculiar speeches. He had the highest respect for a man who would keep his word at all sacrifices. He was satisfied that Senator Kane was acting in this matter according to his highest notion of what was gentlemanly, and he asked the Senate to be lenient with him, and give him a chance to purge himself from contempt.

Mr. ENOS presented a communication from Senator Kane. He said that the press had already poured forth their anathemas on the committee for their haste in presenting their report to the Senate. He had known Senator Kane for a long time. He had been his friend, but he would not let friendship stand in the way of duty. In judging him, the Senate must take into consideration the peculiar training and education; that which seemed foolish to other Senators, seemed just and proper to Senator Kane. He had often felt angry with Senator Kane for his imprudence, and had often remonstrated with him for his language. Let us ask the question, What has Senator Kane done? Has he been bribed? No. He had simply said on this floor that he had been offered a bribe, which he refused. He does not stand here as a criminal. He has simply refused to answer a question. I think that the adoption of the resolution offered by me will answer every purpose in vindicating our dignity. I don't agree with Senator Kane as to the propriety of keeping his word, but there are men whose religion, whose early training, impel them to the belief that the informer is worse than the thief. I have pressed him, Senator Neumann has pressed him, Senator Pardee has pressed him, but his answer was that he would die before his lips should utter that man's name. I agree with Senator Cheney in my admiration for the man who clings with fidelity to his word. I have spoken not in behalf of Senator Kane alone, but in behalf of the common feeling of humanity to the Senate.

The Secretary then read the communication of Senator Kane.

Mr. CHASE said that he wished to call the attention of the Senators to the case of Senator Pomeroy, in Kansas, to show that even if Senator Kane revealed the name of this man it would have no good effect, as a conviction could not be had in this case.

Mr. SEARS said that in dealing with this case we must deal with it as it is, and not with reference to any other case. Senator Kane had asked him to appear in his defense, but he had declined to do so. He had asked Senator Kane that night if he was aware of the penalty that he incurred, and was answered that he did not. Senator Kane had been entreated by all his friends, even by his wife, to reveal the name, but he had stood firm. He was glad to hear Senator Enos offer his resolution, as he thought expulsion too severe a penalty. Senator Kane had committed no crime. His motive in this affair had been to unearth corruption. His knowledge of law and parliamentary usage was limited, and he had no idea when he made the statement on this floor that he was compounding a felony. The character of an informer is looked on with horror by his countrymen, and no amount of physical force or punishment could force that name from him. The Senate should throw the mantle of charity over his shortcomings. He should support the resolution of Senator Enos, and trusted the Senate would do so.

Mr. JOHNSON regretted that he was unable to speak on this subject. He thought in listening to the speeches of the Senators that this floor had been turned into an arena of adulation of Ireland. This was a matter of law and justice, and if this practice was permitted here there was an end of all law. All that was necessary to defeat a bill was for some legislator to get up and say that some one had offered to bribe him. Either Senator Kane had lied or he had been bribed. If he had lied, he ought to be expelled; if he had been bribed, he ought to be expelled. This was the third time Senator Kane had made these charges on this floor, and we are asked to excuse him. Ignorance of the law excuses no man. He would vote for the resolution of Senator Dickinson. He was not here as the enemy of Senator Kane. He was here to do what he thought was right.

Mr. DAVIS moved that the further consideration of this question be postponed until to-morrow evening at 7:30. He was not satisfied with the light punishment of the substitute, nor was he prepared to vote for his expulsion. He did not know whether sentence of suspension extended beyond this session, but would like to know.

Mr. DICKINSON said that he had advanced one or two propositions of law, and had listened attentively to hear them answered, but had not been able to do so. When the motion was first made in the Senate he himself had been inspired by sympathy, but the action of the Senate in not pressing an immediate investigation had been criticised, and it had been said that it dare not press it. We were asked to excuse him because he was ignorant, because he was honest; but he had deliberately led a man on to commit a crime, to offer him a bribe. Was that an evidence of ignorance? We may know him, but does the country know him; does the United States Congress know his character. The country only hear that on this floor he made such charges, and had been excused. We are asked to show mercy, and I wish we could; but we cannot. Under the Penal Code he is an accessory to the crime. We are not to be swayed by sympathy for the individual, but must do exact justice. All considerations, no matter how hard it may be, demand the adoption of the resolution and the rejection of the substitute. The opinion of all the Senators is that suspension only extends to the end of the session, and cannot extend any farther.

Mr. WATSON thought that it would be proper to find out from Mr. Kane, under oath, whether he wrote the communication or not.

Mr. NYE said that it seemed to him that this whole matter could be decided easily in the mind of every Senator by deciding what was the duty of every citizen. Every man's duty is to expose a crime when it comes to his knowledge. The man who would not do so is unfitted for a place on the floor of the Senate. The criticism of the press, right or wrong, should not sway us from our duty. The resolution of Senator Dickinson seemed to him to be the only one to be applied in this case.

Mr. CONGER had never in his life been placed in a position which he regretted as much as the position in which he found himself to-night. He could not indorse either of the resolutions. We are not here to determine whether there has been compounding of felony. We are here to determine whether Senator Kane is in contempt of this Senate or not, and we are a judicial tribunal for that purpose. Although Senator Kane had cast insinuations upon him, he could forget them at this time, and he felt sorry for him in the circumstances in which he was placed.

Mr. JOHNSON thought their duty was laid down plainly enough. The offense of Senator Kane was one of which he could purge himself at any time he chose, and until he did so he would not sympathize with him.

Mr. WATSON read a communication from Mr. Wetmore, stating that he wrote out the communication for Mr. Kane as a matter of accommodation.

Mr. DAVIS did not know that he could blame any Senator who felt impelled to rise in his place to prosecute an offense of this kind, or to defend it. He did not wish to occupy either position. Senator Kane had openly charged an attempt at bribery. He was not satisfied in his own mind whether such an attempt had been made. It was unpleasant to him to make such an insinuation, but Senator Kane had forced other Senators into that position. We simply have the assertion of a Senator that an attempt has been made to bribe him. Shall we make a farce of these proceedings? What shall we do? How can we vindicate ourselves and the dignity of the State? I honor a man who keeps his word, but I honor more a man who keeps the law. Senator Kane stands before this Senate a self-convicted felon. He occupies the position of an accessory to a crime, and the law makes him a criminal. If that be true, what is our duty in the premises? Shall we allow a person to sit here who is by his own confession a felon? I am not prepared to act upon this case to-night. I believe the punishment proposed by the Senator from the Thirteenth is too light.

Mr. ENOS said the Senate had no power to inflict on Senator Kane the sentence of expulsion. His substitute went as far as the Senate has power to go, and he thought no Senator wished to go beyond the limit of his power. He had refrained from appealing to the sympathies of the Senate, and besought this Senate to save Senator Kane.

The substitute was adopted by the following vote:

Ayes—Anderson, Carlock, Chase, Cheney, Enos, Glascock, Gorman, Harlan, Hill, Kelly, Lampson, Langford, Nelson, Pool, Rowell, Ryan, Satterwhite, Sears, Watson, West—20.

Noes—Baker, Burt, Brown, Byrnes, Conger, Davis, Dickinson, George, Hittell, Hudson, Johnson, Johnston, Moreland, Neumann, Nye, Pardee, Traylor, Zuck—18.

Mr. NEUMANN offered an amendment to the substitute of Mr. Enos, providing that unless Senator Kane purged himself from contempt on or before April 12th, at 12 M., by speaking the name of the person, he be expelled from the Senate.

Some discussion followed on the amendment.

Mr. WATSON moved a reconsideration of the vote by which the substitute of Mr. Enos was adopted.

The motion prevailed—ayes 20, noes 18.

The substitute of Mr. Enos was lost—ayes 19, noes 19.

The resolution of Mr. Dickinson was lost by the following vote:

Ayes—Baker, Burt, Brown, Byrnes, Carlock, Dickinson, George, Hudson, Johnson, Johnston, Moreland, Neumann, Nye, Pardee, Traylor, Watson, Zuck—17.

Noes—Anderson, Chase, Cheney, Conger, Davis, Enos, Glascock, Gorman, Harlan, Hill, Hittell, Kelly, Lampson, Langford, Nelson, Pool, Rowell, Ryan, Satterwhite, Sears, West—21.

Mr. JOHNSON moved to indefinitely postpone the whole matter. Lost—ayes 11, noes 27.

Mr. DICKINSON offered a resolution that Senator Kane be committed to the custody of the Sergeant-at-Arms and removed to the County Jail, and there imprisoned until be purged himself of contempt.

Mr. ENOS offered a substitute, suspending Senator Kane until the 16th of April.

Mr. JOHNSON offered a substitute to that of Mr. Enos, tendering the thanks of the Senate to Senator Kane for keeping his word as a criminal at the expense of his word as a Senator.

Mr. SEARS favored the resolution of Mr. Dickinson, believing it within the power of the Senate to inflict such punishment.

Messrs. ENOS and JOHNSON withdrew their amendments.

The resolution prevailed—ayes 25, noes 13.

On motion of Mr. ZUCK, at 11:55 P. M. the Senate adjourned.

ASSEMBLY.

SACRAMENTO, April 9, 1880.

The Assembly met pursuant to adjournment, at 9:30 A. M., Speaker Cowdery in the chair.

Roll called and a quorum present.

Prayer by the Chaplain.

On motion of Mr. COLEMAN, the reading of the journal was dispensed with.

REPORTS OF COMMITTEES.

Committee on Judiciary recommended the passage of Senate Bill No. 581, to amend the Code of Civil Procedure.

Committee on Public Lands reported the testimony in reference to Senate Joint Resolution No. 18, and it was ordered printed in the appendix.

Committee on Elections recommended the passage of Senate Bill No. 309 as amended.

Mr. YOUNG offered a resolution relative to the porters of the House. Referred to the Committee on Contingent Expenses.

STATE OFFICERS' SALARIES.

Mr. COLEMAN moved that Assembly Bill No. 501, relative to the salaries of State officers, deputies and clerks, be taken up, read a third time and passed. Carried, and the bill passed finally—ayes 62, noes 5.

SECOND READING FILE.

Senate Bill No. 538—An Act to amend Section 456 of the Civil Code, relative to the debts of railroad corporations and securities thereof, and sales of the property of said incorporations (by Mr. Moreland)—was ordered to third reading and made the special order for Monday.

Assembly Bill No. 493—An Act to empower consolidated cities and counties of over 100,000 inhabitants to pay out of the General Fund demands for rent of court-rooms and chambers for the Superior Courts, and of police stations, and for salaries of janitors (by Mr. May)—was ordered to third reading file for to-morrow.

Senate Bill No. 188—An Act to regulate fire, marine, and inland insurance companies transacting business in this State (by Mr. Johnson)—was made the order of the day for to-morrow.

Senate Bill No. 219—An Act to amend Section 3 of an Act entitled an Act authorizing the appointment of certain permanent employes of the State Capitol, and fixing their compensation, approved March 30, 1874 (by Mr. Johnson)—was ordered to third reading.

THE HOG LAW.

Assembly Bill No. 367—An Act to prevent the running at large of sheep, goats or hogs in the State of California (by Mr. Messenger)—was passed—ayes 41, noes 21.

MECHANICS' LIEN LAW.

Senate Bill No. 43—An Act to amend Section 1183 of an Act entitled an Act to establish a Code of Civil Procedure, approved March 11, 1872, relating to the liens of mechanics and others upon real property (by Mr. Nye).

A committee amendment was offered to protect owners where the work was not done at their request, and was lost—ayes 9, noes 54. The bill was made the order of the day for to-morrow, on third reading.

DISTRICT SCHOOL FUNDS.

Senate Bill No. 424—An Act to add eight new sections to the Political Code, to be known as Sections 1880, 1881, 1882, 1883, 1884, 1885, 1886 and 1887, relating to the issuance of bonds by the Trustees of school districts to raise money for building purposes, and to provide for the payment of the same (by Mr. Carlock).

Mr. FOX stated that at the request of the author he offered substitutes for Sections 4, 5, 6, 7 and 8, which were read, and the bill was passed to a third reading.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor approving the following Assembly bills:

Assembly Bill No. 55—An Act to amend Sections 235 and 266 of an Act to establish a Political Code, approved March 12, 1872, relating to the meeting of the Legislature and the compensation of its members.

Assembly Bill No. 143—An Act to amend an Act entitled an Act relating to apprentices and masters, approved April 3, 1876.

Assembly Bill No. 224—An Act to amend Sections 1246, 1248 and 1252 of the Penal Code, relative to appeals to the Supreme Court.

Assembly Bill No. 228—An Act to repeal an Act entitled an Act in relation to the office of Court Commissioner of San Joaquin county, approved March 12, 1870.

Assembly Bill No. 337—An Act to encourage the planting of jute.

Assembly Bill No 377—An Act to empower the Directors of Levee District No. 1 of Sutter county to issue bonds for the payment or funding of the unfunded indebtedness of said land district, and to provide for the redemption of such bonds by taxing the property in the district.

Assembly Bill No. 384—An Act to amend an Act entitled an Act to provide for the building of a school-house in Modesto school district, in the county of Stanislaus, in the State of California, approved June 8, 1874.

Assembly Bill No. 392—An Act to enable Boards of Supervisors to authorize the employment of a deputy in certain cases.

SPECIAL ORDERS.

Senate Bill No. 286—An Act to confer power upon Supervisors of cities and counties containing more than 100,000 inhabitants, to extend and complete all main intercepting sewers heretofore partially constructed (by Mr. Neumann)—was ordered to third reading, and made the order of the day for to-morrow.

A DAY OF REST.

Assembly Bill No. 459—An Act to regulate and provide for a day of rest in certain cases (by Mr. Gorley)—was taken up out of order and passed—ayes 48, noes 14.

NORMAL SCHOOL BILL.

Committee on Education reported back Senate Bill No. 383, with amendments as instructed, relative to a Normal School building.

On motion of Mr. DEL VALLE, the bill was made the special order for to-morrow.

PASSED FINALLY.

Assembly Bill No. 329—An Act to amend Section 2 of an Act entitled an Act to amend an Act entitled an Act to incorporate the city of Oakland, passed March 25, 1854, and repealing certain other Acts in relation to said city, approved April 24, 1862 (by Mr. Fox)—was taken up on the third-reading file and passed—ayes 59, noes 1.

Senate Bill No. 63—An Act to provide for speedy completion of the Branch State Prison at Folsom (by Mr. Johnson).

Rules suspended and bill passed—ayes 44, noes 18.

ORDERS OF THE DAY.

Assembly Bill No. 425—An Act to amend Sections 700, 701, 702, 703, 704 and 705 of an Act entitled an Act to establish a Code of Civil Procedure, approved March 12, 1872, so as to provide for the redemption of real estate sold under the power contained in trust deeds (by Mr. Brooks.)

Mr. BROOKS, the author the bill, thought this was a wise law, and should pass.

Mr. FOX opposed the bill, and said it was calculated to impair the obligations of a contract.

Mr. TYLER took a similar view, and characterized the bill as an absurdity.

Mr. YOUNG held that the Legislature had the right to regulate these matters of conveyance, and should pass the law.

Messrs. COOPER, MERRY, HARTSON and MORSE favored the bill, and it was passed—ayes 63, noes 21.

Mr. TYLER gave notice of a reconsideration.

Mr. YOUNG moved to suspend the rules, and called up the motion of Mr. Tyler.

The Assembly refused to reconsider.

THE M'CLURE CHARTER.

Senate Bill No. 362—An Act to provide for the organization, incorporation and goverment of merged and consolidated cities and counties of more than 100,000 population, pursuant to the provisions of Section 7, Article XI., of the Constitution of this State (by Mr. Traylor)—was taken up.

Mr. MAYBELL moved to indefinitely postpone.

The CHAIR stated that the committee amendments took the precedent.

Mr. MATHEWS offered several amendments so that they should not be cut off by the previous question.

Mr. SPENCER also sent up several amendments; also Mr. SINON.

Mr. BRAUNHART hoped the bill would be considered section by section.

The CHAIR directed that the amendments be returned.

Mr. McDADE moved that the report of the minority committee—that the bill be indefinitely postponed—be adopted.

Not entertained, as the amendments took precedence.

The Clerk then commenced reading the bill.

FINAL ADJOURNMENT.

The Senate amendment to the resolution of final adjournment—fixing the time at noon, April 17th, instead of the 13th—was taken up, and on the concurrence the vote was: Ayes, 40; noes, 39.

Mr. HARTSON said he voted aye with the understanding that the time might be extended.

The CHAIR decided that the motion was carried, and that a majority on this resolution was sufficient.

Mr. BROWN gave notice of reconsideration.

Mr. MAYBELL appealed from the decision of the Chair that the resolution was adopted.

On the question, Shall the decision of the Chair stand as the judgment of the House? the vote was: Ayes, 55; noes, 18.

Mr. COOPER moved to reconsider the vote by which the amendment to the Senate resolution was concurred in. Carried—ayes, 41; noes, 37.

Another vote was taken upon the question of concurrence in the Senate amendment to the resolution, and resulted: Ayes, 38; noes, 40—the House refusing to concur.

Recess.

AFTERNOON SESSION.

The Assembly reconvened at 2 o'clock P. M., Speaker Cowdery in the chair, and the second reading of the McClure charter was continued by the Clerk.

Mr. BRAUNHART moved to add to Section 4 in the list of elective officers the Chief of Police. Lost—ayes, 30; noes, 40.

Mr. LANE moved to add five Fire Commissioners. Lost.

Mr. MAY opposed this as tending too much to machine politics.

Mr. SINON was in favor of the amendment, and hoped that this would be a test vote.

Mr. TYLER, in replying to this, said he hoped it would be a test vote, and that opposition to the charter came with ill grace from gentlemen who had charged within the line of this House that they would be willing to vote for any corrupt measure to defeat it.

[Cries of "Name him!"]

Mr. TYLER—I will give the name. I simply say that Samuel Braunhart, standing right there in the presence of four persons, said he would vote for any scheme, however corrupt, to get one vote against this bill.

Mr. GAFFEY—I deny that Mr. Braunhart is the leader of the San Francisco delegation and authorized to express our sentiments.

Mr. McDADE—Mr. Speaker, I move that the language be taken down.

Mr. BRAUNHART—Mr. Speaker, I can settle the matter right here.

Several members—"Take the language down."

The SPEAKER—Mr. Tyler will repeat the words.

Mr. TYLER—I charge and state that Samuel Braunhart yesterday, within the floor of this House, and standing there in the presence of four persons, as I am informed by them, made the statement that he would vote for any scheme, however corrupt, or make the bargain with any man, if he could get a vote against this charter.

The Clerk took down the words and read from the desk as follows:

"I charge and state that Mr. Samuel Braunhart on yesterday made the statement that he would vote for any measure, however corrupt, in order to obtain a single vote to defeat the charter."

Mr. TYLER—That is the substance.

Mr. LANE—I ask the names of these persons.

The SPEAKER—That is out of order. You can have a committee if you want it.

Mr. BRAUNHART—I myself would like to have a committee.

Mr. DU BRUTZ—Mr. Speaker, I move that the consideration of the bill be postponed until this matter is decided. [Cries of "no! no!"]

In the course of his speech upon his amendment, Mr. BRAUNHART said that he was not at all alarmed at the reflections thrown upon him in the discussion of this bill, so far as the charge of the gentleman from Alameda stands. The bill as now framed and as it comes from the Senate, I am its uncompromising and bitter foe, but if judicious amendments will be accepted by this Assembly I may support it. I stated that I would prefer that any corrupt piece of legislation I knew of should be passed by this Legislature rather than this corrupt scheme—and do not desire to use hard language—which is conceived in iniquity and fraud. If the gentleman can prove his assertion I am prepared that the committee shall investigate it.

Mr TYLER—I can prove it, Mr. Speaker.

Mr. MAY—Mr. Speaker, I rise to a point of order.

Mr. BRAUNHART—I submit, if there is a member on this floor whom I proposed should vote against the bill.

The SPEAKER—It is not proper for you to discuss the matter. A committee will be appointed.

A large number of amendments were offered and voted down, and at 3 o'clock the orders of the day were called for, and the Chair ruled that the charter having been made the order of the day, it should be continued until set aside by a two-thirds vote.

Mr. DEL VALLE appealed from the decision, and a long discussion took place in reference to the rulings, in some personal remarks.

Mr. BRAUNHART, interrupting Mr. May, said "that the gentleman having stated a falsehood, he did not propose to stand it," and on motion of Mr. Fox the words were taken down by the Clerk.

The decision of the Chair was sustained—ayes 45, noes 22.

A committee amendment to Section 5 provided for the redistricting of the city on or before the 20th of June, 1880.

Mr. BRAUNHART offered to amend by making it June, 1881. Lost—ayes 23, noes 41.

The committee amendment was then adopted.

Mr. YORK (Mr. Fox in the chair) moved the previous question on Section 5.

Sustained, and committee amendments adopted.

MESSAGE FROM THE GOVERNOR.

A message was received from the Governor, approving the following bills: No. 146—An Act to amend an Act concerning the selection and sale of University lands, approved March 13, 1874; No. 210—An Act to amend Sections 825 and 864 of the Penal Code, relating to proceedings by indictment; No. 320—An Act for the better protection of fruit trees and vines.

THE CHARTER.

After the message had been received the Clerk continued the reading of the charter.

Mr. YOUNG offered an amendment to Section 17 which required the members of the House of Delegates to be residents of the wards from which elected or appointed for ninety days, instead of two years.

Lost.

During the reading of Section 34 recess was taken.

EVENING SESSION.

The Assembly reconvened at 7 o'clock, Mr. Fox in the Speaker's chair.

The McClure charter was made the order of the day for 10 o'clock to-morrow. The reading of the document was then proceeded with, commencing with the 34th section, committee amendments read and adopted.

Mr. SINON offered an amendment to subdivision 46 of Section 34, providing that any person who held an appointment under the Building Committee should not be removed until the next election, except for neglect or incompetency. Lost—ayes 17, noes 42.

Mr. McDADE offered an amendment to subdivision 46, line 339. Insert after the word "compensation," "not to exceed $150 per month." Lost—ayes 32, noes 33.

Mr. MERRY moved to strike out, in Section 50, the sentence relating to the City Attorney: "He may be suspended or superseded by the Municipal Council for negligence, incapacity, or other good cause. Whereupon the Municipal Council shall fill the vacancy by the appointment of a competent person to discharge the duties of said office." Adopted—ayes 30, noes 24.

The committee amendment to Section 55, reduces the term of present incumbent of License Collector's office one year.

Mr. FELTON made a vigorous speech against the amendment, claiming that it was a trick to legislate out of office a good man, although a Democrat. He charged that it was not a committee amendment.

Mr. MAY said this would legislate Richard Sinton out of office, who is a Democrat and a good man. His office has been investigated time and again; his accounts have always been found correct.

After considerable discussion the amendment was lost.

An amendment offered by Mr. BRAUNHART, to amend Section 58, by striking out Board of Aldermen and insert Municipal Council, was lost; also, one offered by Mr. MCCARTHY, to strike out "Board of Aldermen," on line 5, and insert "Justices of the Peace."

After considerable talk Mr. FELTON moved previous question on the whole bill. Carried—ayes 45, noes 27.

Mr. MATHEWS denounced this action as a shameless and dastardly breach of faith on the part of friends of the bill, who had this morning implied that they would not spring the previous question.

Mr. BRAUNHART moved to adjourn. Lost—ayes 12, noes 55.

A message from the Senate announced the refusal of that body to recede in their action relating to amendment made by them to a resolution fixing time of adjournment sine die, and asked for a Committee of Conference.

The SPEAKER appointed as such Messrs. Camron, Finlayson and Spencer.

The consideration of the McClure charter was then resumed under the previous question. All committee amendments, consisting principally of verbal changes, were adopted, and the bill was ordered to a third reading by a vote of 48 ayes to 26 noes. It was then made the order of the day for Monday next, for passage.

Adjourned.

CONGRESSIONAL.

[SPECIAL BY TELEGRAPH TO THE RECORD-UNION.]

Senate.

WASHINGTON, April 9th.—The Senate decided to adjourn on Monday.

Logan submitted a resolution directing the Secretary of War to furnish the Senate with any facts respecting the mutilation of cadet Whittaker. He subsequently modified it so that the President was requested to transmit the facts. Logan characterized the reports respecting the outrage as extraordinary.

Voorhees, Bruce and Hoar supported the resolution, and denounced the practice of hazing at West Point.

The resolution went over, and the Ute bill was taken up.

Vest said the bill would prevent a terrible and inglorious war.

Teller said the education of the Indians had proved a failure. He therefore opposed the Dawes amendment.

Plumb denied that frontiersmen originated all the outrages against the Indians.

Blaine would favor a bill to prevent war.

Dawes' amendment was adopted. [It gives the President discretion to devote $10,000 to the education of young Indians of both sexes, who are judged best qualified therefor.]

On motion of Price, the amount paid Mrs. Meeker, Miss Meeker and Mrs. Price was made $600 each, instead of $400, annually, and on motion of Teller Mrs. Post's amount was raised to $300.

On motion of Plumb, the clause binding the Indians to give up the men implicated in the Meeker murder was made to include those who committed the outrages also.

Morgan moved an amendment, providing that nothing contained in the Act or agreement shall be construed so as to compel any Ute Indian to remove from the lands claimed by him in severalty, or to deprive any such Indian who shall refuse to sign the agreement of his right to select a tract of land for agricultural purposes within two years from the passage of the Act, under the stipulations of any existing treaty, in any part of the Ute reservation.

In the debate on this amendment Edmunds agreed with Morgan's view. This bill was unconstitutional, as infringing upon the treaty-making power.

Ingalls said it was too late in the day to question the right of the Indians to hold lands. England, France, Holland and Spain, in colonizing America, had all proceeded on the idea that the Indians owned the soil, and it must be procured from them by voluntary cession for a consideration. It was immaterial whether there was an agreement or treaty. We were obliged to, in some way, bargain with them for the cession of the lands rightfully held by them.

Thurman said Congress could undoubtedly authorize the Secretary of the Interior to purchase the lands of any individual, corporation, association, tribe or nation, and this was essentially the purpose of this bill.

McMillan pointed out some legal objections to the bill.

The first part of Morgan's amendment, ending with the word "severalty," was accepted by the committee and adopted. The remainder of the amendment was rejected—ayes 6, noes 45.

After discussion it was unanimously agreed that the general debate on the bill shall cease at 3 P. M. Monday; that the debate on the amendments shall then proceed under the five-minute rule, and that the bill shall be finally voted on before the adjournment on Monday.

Adjourned till Monday.

House.

WASHINGTON, April 9th.—Wilson, from the Foreign Affairs Committee, reported back the joint resolution thanking Mexico for its hearty support of the industrial mission of American merchants and manufacturers. Placed on calendar.

De la Matyr introduced a bill establishing a temporary Government for Alaska. Referred.

Reports of a private nature were called.

Newberry introduced a bill, which was referred to the Committee of Ways and Means, respecting imported goods, making it unlawful to transport such merchandise in bond or with duty paid from a port or place in the United States when any portion of such transportation is made through any foreign country bordering on the Gulf of Mexico or on the Carribean Sea, except as the same is permitted by treaties with such countries.

After a long debate on the bill for the relief of L. Madison Day, of Louisiana, a vote was taken and showed no quorum present.

Adjourned.

A NEW USE FOR THE TELEPHONE.—The telephone has been found by Herr Niemoller capable of determining very quickly and accurately the resistance of liquids. It is substituted for the galvanometer in a galvanic bridge, and an induction current is used; then, if the resistances compared are a large liquid resistance on the one hand and a Siemens resistance box on the other, so that the electro-dynamic constants of the branches are very small; if, further, a German silver or platinum wire be used as measuring wire, it is found that in the position where the galvanometer shows no deflection, the tone in the telephone has a well-marked minimum of intensity. Supposing the liquid resistance has 2,000 units, a variation of it, even 4 units, reveals itself in a displacement of the minimum position.