

LEGISLATURE—29TH SESSION.

Glenn County Alone Favored by a Majority Senate Report.

Legislators Wading Rapidly Through the Files—Guardian for the Marshall Monument.

SENATE.

WEDNESDAY, Feb. 4, 1891. The Senate met at 11 o'clock A. M. Lieutenant-Governor Redick, in the chair. Roll called and quorum present. Prayer by Rev. A. T. Needham. Journal read and approved.

PETITIONS.

Mr. Crandall presented a petition from the Farmers' Alliance of San Jose, asking the passage of the following laws: Providing for the formation of mutual fire insurance companies; establishing the Australian ballot system; making taxes payable half-yearly; abolishing the Railroad Commission; prohibiting gaming at State and county fairs.

COMMITTEE REPORTS.

Mr. Everett, from the Committee on Military, reported a substitute for S. B. 54, relating to National Guard; passage recommended. Mr. Hancock, from the Committee on Claims, reported back S. B. 64, to pay the claim of D. Jordan. Passage recommended. S. B. 89, to pay the claim of W. H. Thornley as Immigration Commissioner. Do not pass. S. B. 426, to pay the claim of Isadore Alexander. Indefinite postponement. S. B. 362, reimbursing the Japanese Government for certain outlays. Passage recommended. S. B. 462, to provide the State Superintendent of Public Works an engineer. Passage recommended. S. B. 506, to pay the claim of D. J. Logan. Do not pass. Mr. Carpenter, from the Committee on Corporations, reported back S. B. 283, with amendments authorizing cities to fix rates for gas and electric lighting. Passage recommended. S. B. 194, amending Section 258 of the Civil Code. Passage recommended. S. B. 169 (amended), relating to telegraph corporations. Passage recommended. S. B. 235, relating to benevolent corporations. Passage recommended. S. B. 187, relating to the sale of railroad and other franchises. Do not pass. S. B. 85, relating to street railroads. Passage recommended. Mr. Mahoney, from the Committee on Commerce and Navigation, reported back S. B. 98, conferring further powers on the Harbor Commissioners. Passage recommended. Mr. Dray, from the Committee on Swamp and Reclamation Lands, reported back S. B. 401, relating to reclamation assessments. Passage recommended. S. B. 422, relating to the collection of reclamation assessments. Passage recommended. S. B. 162, relating to the sale by the State of lands uncovered by receding waters of lakes. Passage recommended. Mr. Sprague, from the Committee on Judiciary, reported back favorably S. C. A. 11, S. B. 491, 492, 493 and 498, and S. B. 394 unfavorably.

BILLS INTRODUCED.

By Mr. Maher—Relating to changes in the grades of streets. By Mr. Ostrom—To provide for recording the commissions of Notaries Public. Also, to validate acknowledgments of Court Commissioners. Also, to encourage the cultivation of the fruit plant. By Mr. Ehm—To prevent the destruction of property of contagious owners by fire. By Mr. Carpenter—Amending the Political Code relating to highways. CHANGE IN WATCHMEN. G. H. Williams presented the resignation of T. F. Ryan as watchman. A resolution was adopted appointing William Gaffney to the position.

WORK ON THE FILE.

S. B. 391, appropriating \$18,245 to pay the salaries of the San Diego Harbor Commissioners up to July 1, 1891, was read the first time. After passing over several bills on third reading the Senate took a recess until 1:30 P. M.

AFTERNOON SESSION.

When the Senate reassembled President pro tem, Frazer was in the chair. Restoring work on the file, the Senate took up A. B. 129, providing for the collection of taxes by school districts, except in cities of the first class. Read third time and passed. A. B. 132, relating to certain deputies and copyists in County Clerks' offices in counties of the first class. Read third time. Mr. Heacock held that the bill allowed an extraordinary number of assistants in the Superior Courts of San Francisco. The bill was refused passage—ayes 12, noes 19. Mr. Maher gave notice of a motion to reconsider. S. B. 278, to prohibit the sale of intoxicating liquors within one mile of any reform institution where juveniles are confined. Passed on file. SECOND READING. S. B. 90, to confer further powers on the Harbor Commissioners of San Francisco. Read second time. A. B. 121, repealing the Act declaring Kinahuth River navigable. Read second time. S. B. 58, relating to the election of State Printer by the people. Passed on file. Also, S. B. 24, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

S. B. 109, relating to practice in township and municipal courts. Read second time.

S. B. 257, to regulate the interest of money. Mr. DeLong moved to strike out the enacting clause. He said that a bill which would regulate interest should not be introduced until it had been regulated according to the contracts made between lender and borrower, and should not become a law. If a man in borrowing money agreed that compound interest should be charged him in case of default on his part, he should pay it.

Mr. Wilson, the author of the bill, spoke briefly in its favor. He said that whenever anything was proposed to draw the strings on money-lenders and usurers they pop up from behind the trees and stampede the market in hand and ready to fight. He wanted the Senate to understand that "the farmers are a-comin'," and that the "shylocks would have like back seats."

By a vote of 19 ayes to 13 noes the enacting clause was stricken out. Mr. Wilson (having changed his vote from no to aye) gave notice of a motion to reconsider.

S. B. 274, providing a penalty for failure or neglect of Assessors to do their duty. Read second time. S. B. 282, to pay the salary of the Executive Secretary to the Governor for the forty-first and forty-second fiscal years. Read second time.

THE MARSHALL MONUMENT. S. B. 342, to provide a guardian for the Marshall Monument and grounds. [Allows a salary of \$30 per month.] Mr. McGowan in the chair. He called attention to the fact that the State had expended \$6,000 for the monument and a partial improvement of the grounds. There is still work to be done in the way of keeping the roads in repair and to prevent vandalism. Some slight injury has already been done to the monument. It is the duty of the State to well afford to pay \$30 a month to have the property kept in good condition. The people in that locality gave fourteen acres of ground, and he did not see how a guardian could protect it from such vandalism.

The motion was indefinitely postponed and the bill read the second time.

THE FILE RESUMED. S. B. 3, concerning the hearing of reports of road commissioners. Read second time. S. B. 4, relating to petitions for new roads, and amendment of old ones. Read second time. S. B. 143, requiring Boards of Police Commissioners to grant yearly vacations to members of police forces. Read second time. S. B. 174, to ascertain and express the will of the people upon the subject of the election of United States Senators. Read second time.

Mr. McGowan defended the bill. The State has interests at stake at Humboldt Bay. Humboldt Bay is the only harbor on the coast of this State. It is the duty of the State to make the contemplated improvement at Humboldt Bay. That is the duty of the Government. The expenses of the Harbor Commissioners should be paid out of the receipts of the harbor, and the law should so provide.

Mr. Heacock moved to amend the bill. He did not regard it as the duty of the State to make the contemplated improvement at Humboldt Bay. That is the duty of the Government. The expenses of the Harbor Commissioners should be paid out of the receipts of the harbor, and the law should so provide.

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and provide for the payment of damages done to the property of J. G. Ziegler et al., whose property has been damaged by reason of the change of grade of Montgomery street, San Francisco.

By Stabler—To validate and make legal proofs and acknowledgments of instruments made before and taken by Court Commissioners after the 31st day of April, 1880.

By Mallock—To amend an Act entitled an Act to establish a Penal Code, approved February 14, 1872, by adding three new sections, forbidding the exhibition, opening or maintaining of a bull, bear, cock, prize-fight, horse race, circus, gambling-house, or any other place of public amusement; or the keeping, conducting or exhibiting of any theater or other place of public amusement; or the performance where intoxicating drink is sold, given away or used, on Sunday; forbidding also the keeping open on that day of any saloon, wine or beer parlor, banking house or other place of business for business purposes. Public Morals.

Also, to amend Section 1704 of the Political Code, in effect April 7, 1880, and to add a new section, numbered 1705. Education.

By Renfro—To amend Section 1431 of the Code of Civil Procedure, Judiciary. Also, concerning municipal boards of municipalities of the sixth class. Judiciary.

By Kelly—For the preservation of the timber land of California. Agriculture and Forestry.

By Hayes—To add a new section to the Political Code, relating to the leasing of wharves, docks and landings under control of the Harbor Commissioners. Commerce and Navigation.

Also, to add a new section to the Penal Code, relating to punishment for the violation of the provisions of Section 2558 of the Political Code, Judiciary.

By Bruner—To amend Section 960 of an Act entitled an Act to establish Political Code relating to vacancies in office. Judiciary.

By Barrett—To provide for the recovery of damages in cases of trespass upon private property in this State. Judiciary.

By Young—To prohibit the coming of Chinese persons into this State, whether subjects of the Chinese Empire or otherwise, and to provide a registration and fix the status of all Chinese persons now residing in this State. Chinese Immigration and Emigration.

Also, to prevent the placing or keeping of leaving of married women in houses of prostitution, and to punish persons therefor. Public Morals.

Also, to create and establish the political divisions for Justices of the Peace and Constables, in cities, towns and other cities and towns in the State, County and Township Governments.

By McCall—Appropriating money to pay W. J. Mahoney for the construction of the Superintendent's cottage for the Home of the Adult Blind. Public Buildings and Grounds.

Also, to protect the manufacturing industries of the State. Labor and Capital.

By Stabler—To add a new section to the Political Code, relating to the commission of a Notary Public. Judiciary.

By Young—A. C. A., relative to amending Section 3 of Article XII of the Constitution. Judiciary.

Mr. Galbraith moved the adoption of his resolution, in effect Friday's Executive Order, relative to the appointment of a special committee to examine into the manufacture and compilation of the State school books.

Mr. Marion moved that the Committee on Public Printing conduct the investigation instead of the special committee. Mr. Heacock moved to amend the bill. Mr. Heacock called up his notice of motion to amend the rules by providing that no member shall speak more than once on the same subject, and for a longer time than five minutes.

Mr. Renfro moved to amend by making the time ten minutes instead of five minutes. Carried. Resolution as amended adopted.

AFTERNOON SESSION.

House reassembled at 2 P. M. Speaker Coombs in the chair. Roll called. Quorum present. On motion of Mr. Mathews, A. B. 142, in relation to the former assessment was postponed until 2 o'clock to-morrow.

A. B. 119, relative to assessments of property, was a former assessment was postponed until 2 o'clock to-morrow.

A. B. 114, relative to electric street railways. The question recurring upon Mr. Coombs's substitute for the amendment of Mr. Coombs, the previous question was demanded by Messrs. Hildes, Hershey and Matthews, and the House refused to order it.

Mr. Culver moved a call of the House. So ordered. On motion of Mr. Culver, further proceedings under the call of the House was dispensed with.

The roll was called on Mr. Gould's substitute, and it was lost—noes 70, ayes 7. The question recurring upon Mr. Coombs's substitute for the amendment of Mr. Coombs, the roll was called and amendment adopted—ayes 49, noes 27.

Mr. Bruner in the chair. Mr. Coombs moved that a select committee of one to amend the bill in accordance with the instructions of the House.

Mr. Sturtevant moved that a select committee of one be appointed to make the following amendment: Amend by inserting the following amendment: Amend by inserting after the word "town" in line four, the following: "Having a population of 25,000 inhabitants."

Mr. Dible moved that a select committee of one be appointed to make the following amendment: Amend by inserting after the word "town" in line four, the following: "Having a population of 25,000 inhabitants."

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RIVER IMPROVEMENT.

Dr. Dixon Asks the Supervisors for Another Appropriation. It is Desirable that Another Delegation Should Go to Washington—The Board of Engineers.

Dr. G. M. Dixon, Chairman of the Executive Committee of the River Improvement Commission, appeared before the Board of Supervisors yesterday afternoon, and asked that an appropriation of \$250 be made by the county to assist the committee in sending a delegation to Washington for the purpose of securing legislation for the improvement of the Sacramento and Feather rivers.

The doctor went over the history of the committee's and convention's work for the benefit of the new members of the Board. He said that the convention was held in Sacramento just a year ago, delegates being sent by the Supervisors of the several counties interested in the improvement of the two rivers mentioned. The convention took cognizance of the fact that during last winter a million acres of lands in the Sacramento Valley were under water, 500,000 acres of which were actually in crops at the time—and all owing to the excessive water of the Sacramento River to carry off the great body of water thrown into it from the American and Feather rivers and other tributaries. It was agreed that the source of all the trouble was hydraulic mining. A general exchange of views, the convention appointed an executive committee to carry on the work mapped out, and adjourned. One of the first things this committee did was to send a delegation to Washington to assist the California representatives there in securing an appropriation for the improvement of the rivers.

"Heretofore, all efforts to secure a similar appropriation," said Dr. Dixon, "were failures, and the visit of this delegation to Washington gave us the key to the whole situation. They found that no bill appropriate for river improvement would go through Congress unless the War Department had set its seal of approval upon the measure. As the War Department has no official knowledge of the condition of the Sacramento and Feather rivers, the delegation came to the conclusion that they had excluded the most important matter in the whole affair. Instead of asking for the appropriation then, a clause was inserted into the river and harbor bill calling for the appointment of a board of engineers.

Whose duty it should be to proceed at once to the Pacific Coast and make an examination of the Sacramento and Feather rivers. The board of engineers appointed, has examined the rivers, and will report in a very short time to Congress. Fortunately a lot of the members of the War Department of this commission which had in charge the work of improving the Mississippi River. Although they gave us no official information as to what the most important matter in their report, they did intimate that our rivers needed a thorough system of levees as had been provided for the Mississippi. They also said that to-day ocean steamers could come up to our city with ease."

Dr. Dixon called the attention of the board to the great changes that would take place in Sacramento when