

BRETZ REPENTS,

But He Must Answer for His Un-called for Calumny.

AN INVESTIGATION GOING ON.

Lawyer Chamberlain Had Four Popular Votes to Sell.

STEPHEN M. WHITE'S DENIAL.

He Calls Cator a "Liar and a Dog"—The Reassessment Bill in the Senate.

The thirtieth session has a scandal.

Monotony has taken wings and routine business has been relegated to the limbo of forgotten files.

That the charge is absurd and entirely without foundation in fact on the admission of the instigator, cuts no figure in the matter.

A serious accusation has been entered against the reputation of the men eminent in their respective professions.

Every eye in the house was fixed intently upon this gray, gaunt figure of despair.

He seemed surprised and confused, and almost instantly bowed his head for shame.

Then the usual preliminaries incident to the opening of a morning session had been concluded.

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at him every conceivable crime, until today the executive department of our Government is the only one at which the tongue of calumny

Has not been aimed. Truly, it is not strange that in the excitement of yesterday the successful party should have laid the commission of a heinous crime laid at its door, or that the eminent gentlemen who have been rewarded with victory should find themselves charged as they have been.

On this very floor the judicial branch of our Government has been accorded treatment at the hands of legislators unworthy of this House and unworthy of fair-minded men.

Now, the legislative branch of our Government has as its official enemy the law of the land charged against it. And surely it is our own fault if the estimate placed on our worth by the outside world does not rise to a very high level.

When no man, however good, however pure, can hope to wear the laurel wreath of victory without going out to the world branded as a criminal, it is a sad condition of affairs that loudly cries for a remedy.

I regret exceedingly that we cannot reward any of our great and able men without the tongue of slander being directed against them; yet I am almost glad that these incidents of yesterday have occurred, because, at last, we have obtained jurisdiction over this subject, and we will now institute a thorough and painstaking investigation from which California will emerge purified and her fair name vindicated before the world.

Vann of Colusa, a Populist, spoke briefly and to the point. It is an unpleasant duty," said he, "to speak of this matter. I presume that it is an unpleasant affair for you. In the interest of justice I am in favor of the investigation. I hope the resolution will pass."

Adams, another Populist, was also in favor of the resolution. "We must get at the facts," said he, "let the blame fall where it will."

Bretz talks. Then Bretz got up to speak. He and spare, with a straggling gray beard covering his pinched and haggard face, in which shone like stars a pair of deep-set, treacherous eyes, he looked like a marble statue, taken possession of by the spirit of discontent.

"I court an investigation," he began, hesitating on each word, as though undecided as to the proper thing to say. "If I am right, it should be known. If I am wrong, why then I must stand the consequences of my own experience."

Here he was interrupted by Speaker Gould, who informed him that parliamentary law, usage and etiquette forbade his appearance on the defensive. "But," continued Gould, "I will make an exception in this case. As long as you wander within the bounds of decency you may talk."

Bretz then continued as follows: "I want to admit that I got the floor yesterday under a great deal of misapprehension. For this breach of discipline and honor I apologize to the members and sincerely ask pardon. For my other statement as to the corrupt use of coin in the Senatorial contest I have no apology to make. It is well known to a few persons."

"Take your seat, sir!" roared Speaker Gould, bringing his gavel down with a smash, and Bretz sank into his seat the picture of awe and trembling in every joint.

Major Anderson's remarks. Mr. Anderson said: "As a member of this body and of the Republican minority, I feel it my duty to raise my voice against permitting the imputations against the fair name and fame of Stephen M. White to go without reprobation. At this time it has been demonstrated that it comes within the range of possibility for a man of brains and genius to reach the highest post of honor without the aid of money. It marks an epoch in the history of this State when a man can attain such honor without other influences than his ability and manhood. It is not a matter that concerns us alone, but, as said by the member from Shasta, the whole world has heard these charges, and they must be squared before they go farther. No one in the State Capitol believes that Mr. White or Mr. Cannon used any corrupt means. I favor the resolution of the member from Shasta."

Slms of Santa Rosa then spoke to the resolution and was applauded. He said: "I would speak to the resolution with a spirit broader than party limitations and deeper than political motives. Yesterday we gave to California's greatest son the highest jewel in the crown of a Californian's ambition, and the highest legislative office to which an American citizen can aspire. It is fitting that the legislation which we bestowed upon our gifted son should be worn without any imputation upon its purity, and that the office to which we have elected him should be occupied without a word of obloquy upon the manner in which it was obtained. We owe the duty of an investigation to the distinguished gentleman who, in obedience to the wishes of our constituents, was elected to the United States Senate, to the honored and respected member of the Assembly from the Seventy-second District, to the Member of Congress-elect from the Sixth Congressional District and to ourselves as members of the Assembly. The gentleman from Alameda has made serious charges, and the more serious the accusation the clearer and more convincing the proof. The California Legislature often have been accused of being actuated by mercenary motives instead of the purest of patriotism, but I believe that the people have at last elected a Legislature every member of which, if there were a threatened union between the purse and the pen or the purse and the legislator's vote, would rise in his seat and forbid the bans. Mr. Bretz should either produce proofs of his accusation, or be severely punished by this House."

The resolution was then put to a vote and unanimously adopted.

Speaker Gould appointed on the committee Messrs. Shanahan, Puschel, Alford, Mathews of Tehama, Vann, Kahn and Perkins.

The heading career of the anti-railroad agitators was brought to a halt with rather a severe jerk in the Senate yesterday. They found that a majority of that body was composed of sensible, conservative and thinking men, who are there to do their sworn duty and not be deceived into doing an injustice to anybody—citizen or corporation—as was the case in the Assembly.

Despite anarchistic speeches and mouthings above law and equity, the Senate decided not to permit itself to be rushed, nor to enact a law without first knowing what it was doing.

Wanted to rush it. Senator Mahoney made a very proper motion to the effect that the "reassessment bill," which had been placed upon the file and was up for first reading, be referred to the committee on Corporations and consideration of the report.

This brought Senator Berry to his feet with an objection to the motion and an appeal to the Senate to ignore the committee and rush the bill through to passage. His argument was that everybody knew what the bill was and did not need to consider it.

Senator Ostrom also "kicked" vigorously. He wanted the Senate to emulate the rushing tactics adopted by the Assembly. Mr. Simpson was inclined to be just. He said that while he wanted to vote for a bill that would bring about the results aimed at in the bill, he wanted to be sure that it was done constitutionally. He read the Attorney-General's report on the bill to the effect that it was not constitutional, and he thought that should be sufficient hint to the Senate to put on its considering cap and find out what it was doing before passing the measure. It was always

customary to refer bills. To the proper committee, and he did not understand why this bill should be treated any different than others. Certainly the Attorney-General's disclosures should at least cause the Senators to hesitate before enacting a bill that might mean nothing.

Senator Earl was elected to be a member of the committee on Corporations, and in a rather caustic speech said that if the Senate was determined to send the bill to a committee, it should ignore the one referred to in the motion and send the measure to the Judiciary Committee.

Langford also wanted to rush the bill through and avoid the committee. He argued that, as the same bill had been before previous Legislatures and had been gone into by dozens of big attorneys, therefore the present Legislature should accept the bill as it stood and put it through.

Seawell opposed Mahoney's motion, too, and wanted the Senate to pass the bill. Senator Goucher reminded those who were arguing against referring the bill to the committee on Corporations that they were doing great injustice to the members of that committee. He was a member of it, and did not take kindly to the reflection that he was cast upon his and his colleagues' integrity. He did not think that such methods were to the best interests of the people of the State. While he favored the intent of the bill, he did not feel like voting on it until it had been thoroughly examined by the proper committee.

Senator Mahoney spoke to some length in favor of his motion. He said it would be a very unusual proceeding to go ahead with the reading of the bill before looking into it. He had been informed that persons are in Sacramento now, who are desirous of addressing the committee, both for and against the bill. One of these persons had a substitute, too, which it had been said, would cover every objectionable feature of the bill, and at the same time bring about the result it aimed at. The bill should, by all means, go to the committee, so that these people could be heard.

Mr. Ostrom insisted that the Judiciary Committee was the proper one to consider the bill if it had to go to any. Mr. Mahoney considered this a direct slap at Chairman Carpenter of the Corporation Committee.

At this Senator Earl arose and apologized for his remarks, if they appeared as an affront.

There was some more talk in which several Senators stormed again for the rushing of the bill and for ignoring the committee on Corporations. In the midst of it Senator Ostrom said if the bill did not pass this time he would feel like resigning.

Senator Carpenter aroused. Then Senator Carpenter took the floor. He had been listening quietly to the unkind reflections cast upon him and his committee all this time without offering any reply, but he now appeared to be thoroughly aroused. In a dignified yet emphatic manner, he informed the Senate what he thought about the case so far as it had gone. He did not propose to argue the questions involved in the bill at this time, but desired to refer to some other matters. In his belief there was not a Senator on the floor who was not in favor of a bill to provide for the payment of the railroad tax; but some of the Senators did not want to end the matter there. They wanted to cinch only one corporation. The Senator behind him [Mr. Berry] had admitted two years ago that the reassessment bill, as proposed, was aimed solely at the Southern Pacific Company. There was not a man in the Senate but what knew that sort of legislation was unconstitutional. "It is true," continued Senator Carpenter, his voice increasing in volume, "that I am an attorney for the Southern Pacific Company. They pay me for the trial of causes in court, and not for my course on this floor. No corporation nor individual ever has or ever will so, God helping me, I did not intend to bring this matter up, but remarks have been made; then, there has been quite a general talk that this bill was destined to be buried by the committee of which I have the honor to be chairman. I will vote for referring this bill, notwithstanding the remarks of certain Senators on this floor. I intend to vote for a bill that will bring about the payment of the tax on debts due to the State, but I don't propose to vote for one that will not accomplish it. It is a question now whether we are to be hurried along by the

roll-call every Senator present voted in the affirmative. The charter was then transmitted to the Assembly.

THE PROCEEDINGS.

A SUBSTITUTE FOR THE FURNACE DIRECTORS' BILL.

Bretz's Case in the Assembly—Reading of Bills in the Senate—Bidwell County.

The Senate convened at 11 A. M., Lieutenant-Governor Reddick in the chair.

The roll was called showing a quorum present, prayer was offered by Rev. W. S. Hoskinson and the journal read.

Senate Bill No. 17—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary thereof to assist said court in the performance of its duties, and in the disposition of numerous causes pending in said court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor—was taken up under a suspension of the rules, read three times and passed.

Senate Bill No. 24, providing for two additional Judges for the Superior Court of Alameda County, was also taken up under a suspension of the rules, and after being read twice, was ordered engrossed and on file for third reading.

Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Senate Bill No. 9—An Act to declare certain lands public grounds, and granting the same to the State of California in trust for the use of the public—was read the first time.

Senator Williams, on behalf of the Committee on Federal Relations, reported that that committee recommended for passage Senate Joint Resolutions 4 and 8, relative to the restriction of foreign immigration, and an unfavorable report was made on Senate Joint Resolution No. 1, which proposes to Congress a constitutional amendment prohibiting bankers from conducting business in the State.

The committee on Public Buildings, other than Prison Buildings, recommended the passage of the following resolutions: Res. 1—That the State should appropriate money for the purchase of a site and building for the State Normal School at San Francisco. An act making an appropriation for the deaf, dumb and blind asylum. All of these bills were referred to the Judiciary Committee.

Bills were then introduced as follows: By Ostrom—Amending the Code of Civil Procedure relative to the duties of officers, and to amend and to appropriate money for its enforcement.

By Langford—Amending the Political Code relative to assessments in the State Board of Forestry, and to amend and to appropriate money for its enforcement.

By Holt—Amending Section 175 of the County Government Act.

By Goucher—Amending the Code of Civil Procedure relative to estates of deceased persons; Judiciary.

By Goucher—Making an appropriation for the purchase of a free wagon road in Mariposa County; Finance.

By Shippee—Creating the county of Bidwell; County Boundaries. Also, an act to amend and to appropriate money for the regulation of the sale of olive oil; Judiciary.

By Earl—An Act amending the Civil Code relative to the disqualification of a Judge in any case in which a party is interested in the result of the trial of the cause; Judiciary.

By Goucher—Amending the Code of Civil Procedure relative to estates of deceased persons; Judiciary.

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By Earl—An Act amending the Civil Code relative to the disqualification of a Judge in any case in which a party is interested in the result of the trial of the cause; Judiciary.

on private grounds, in certain counties in the State."

Senate Bill No. 61—An Act to prevent persons from entering upon the enclosed lands of another for the purpose of shooting or hunting or fishing or discharging firearms thereon.

Senate Bill No. 211—An Act to amend Section 60 of an Act for the relief of insolvent debtors, for the protection of creditors, and for the punishment of fraudulent debtors, relating to setting aside exempt property for the use and benefit of the insolvent, and also a homestead, and providing for giving notice of such proceedings to the creditors.

Senate Bill No. 24—An Act to provide two additional Judges of the Superior Court of the county of Alameda.

Senate Bill No. 17—An Act to provide for the appointment, by the Supreme Court, of five Commissioners, to be known as Commissioners of the Supreme Court, and to appoint a Secretary thereof to assist said court in the performance of its duties, and in the disposition of numerous causes pending in said court, and to provide for the compensation of said Commissioners and Secretary, and to appropriate money therefor.

Senate Bill No. 20—An Act to amend and to appropriate money for the enforcement of the laws relating to the duties of deceased persons.

Senate Bill No. 18—An Act to amend and to appropriate money for the enforcement of the laws relating to the duties of deceased persons.

Senate Bill No. 25—An Act to amend and to appropriate money for the enforcement of the laws relating to the duties of deceased persons.

Senate Bill No. 26—An Act making an appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

Senate Bill No. 1—An Act requiring city and county or town authorities to exact and require from persons corporations seeking permission and authority to lay railroad tracks through streets and public highways of any incorporated city, city and county or town a satisfactory promise and undertaking to permit and allow mail carriers in the employ of the United States Government, at all times, while engaged in the carrying of charge of duty, to ride on the cars of such railroad without paying fare, and to provide for the compensation of such carriers.

Senate Bill No. 8—An Act to provide for the appointment of Health Inspectors and Market Inspectors in each municipality of this State having 100,000 inhabitants and over, and to appropriate money for their salaries and expenses, and to designate as officers of such municipalities, and prescribing the duties and fixing the compensation of such inspectors.

Senate Bill No. 42—An Act to amend Section 492 of the Political Code of the State of California, relating to the duties of City Treasurers, and to amend and to appropriate money for its enforcement.

Senate Bill No. 134—An Act to establish a uniform system of mine bell signals, to be used in all the mines operated in the State of California, and for the protection of miners.

Senate Bill No. 71—An Act to prevent deception in the manufacture and sale of butter and cheese, and to appropriate money for its enforcement.

Senate Bill No. 139—An Act to repeal an Act entitled "An Act to create a State Board of Forestry, and to amend and to appropriate money for its enforcement, approved March 3, 1888."

Senate Bill No. 132—An Act to appropriate money for the completion of the building of the Preston School of Industry at Yuba, and for furnishing and equipping the same.

Senate Joint Resolution No. 5—Relative to the indebtedness of the United States to the State of California, was adopted and transmitted to the Assembly.

Senate Joint Resolution No. 10—Relative to the abolition of the duty on grain bags, burlaps, gunnies or gunny cloth, was also adopted.

Senator Goucher introduced a bill amending the law.

Senator Mitchell introduced a bill amending the Civil Code, relative to mechanics' liens.

By Senator McGowan, providing for the incorporation of co-operative concerns.

Senator Langford introduced a constitutional amendment, relative to the establishment of a Railroad Commission.

By Voochies—Relative to the publication of State text-books; Education.

By Voochies—Relative to the fees of Sheriffs in insolvent proceedings; Judiciary.

By Mahoney—Amending the Penal Code relative to the examination and commitment of insane persons; Judiciary.

The Senate then adjourned until 11 A. M. to-day.

ASSEMBLY ROUTINE.

Shanahan Calls for an Investigation of Bretz.

The Assembly convened at the usual hour, with Speaker Gould in the chair.

Roll-call showed a quorum present. Chaplain Conroy offered prayer. Assemblymen Gately and Boyce were granted leave of absence for the day. Reading of the journal was dispensed with.

Mr. Shanahan arose on a question of privilege and one pertaining to the privileges of the House. He offered a resolution that a select committee of seven be appointed to investigate the charges made by Mr. Bretz on the previous day, alleging that the corrupt use of money had been made in the election of Senator Hon. Stephen M. White as United States Senator, and alleging that Marion Cannon was the negotiator.

inasmuch as another bill covers the same ground. So ordered.

The following bills were introduced: By Schlesinger—Providing that the State Board of Health shall consist of seven members, regular graduates of State medical societies; Judiciary.

By Finlayson—Amending the code relative to elections in the State; Appointment and Election Laws.

By Jacobson—Relating to what constitutes grand larceny; Crimes and Penalties.

By Finlayson—An Act relating to the duties of District Attorneys; Judiciary.

By Miller (by request)—An Act to enfranchise women; Appointment and Election Laws. A bill relative to Police Courts in cities having a population of less than 20,000 nor more than 50,000 inhabitants; Municipal Corporations. An Act (by request) amending the Civil Code defining the head of a family; Judiciary. Also, an Act (by request) defining the powers of Boards of Trustees; Municipal Corporations.

By Finlayson—An Act in relation to county and township governments and providing for the consolidation of the offices of County Tax Collector and County Treasurer; County and Township Governments. An Act relating to judgments against executors or administrators; Judiciary. Also an Act relative to transfers of real estate and interests therein upon the county assessment book; County and Township Governments.

By Mr. Pendleton—An Act providing a system of street improvement bonds to represent certain assessments for the cost of street work and improvement within municipalities, and also for the payment of such bonds; Municipal Corporations.

By Puschel—An Act making appropriation to pay the deficiency in the appropriation for support of State Insane Asylum at Stockton, California, for the forty-second and forty-third fiscal years.

By Kennedy—An Act regulating the quality of illuminating gas and fixing a penalty for failure to comply with provisions of Act; Corporations.

By Sargent—Providing for the making of two annual verified statements to the Bank Commission by every bank within the State; Corporations.

By Kennedy—An Act providing that County Treasurers must permit the Chairman of Boards of Supervisors, District Attorney and Auditor to make examinations of their pleasure; County and Township Governments. Also an Act providing that County Treasurers must keep all moneys in vaults of the county until disbursed according to law; County and Township Governments.

By Lynch—An Act to regulate the fees of officers and salaries of certain officers; Judiciary. An Act providing for the maintenance of public parks; Municipal Corporations.

By Adams—An Act making appropriation for a site for camps of instruction for the National Guard; Military Affairs.

By Lynch—An Act relating to the Political Code relative to assessments; Ways and Means.

By Dodge—An Act amending Code of Civil Procedure relative to estates of deceased persons; Judiciary.

By Sargent—An Act to establish a uniform system of mine bell signals to be used in all mines operated within the State; Mines and Mining.

By McCauley—An Act regulating the compensation of County and Township officers, and of Justices of the Peace, County and Township Governments.

By Duffy—An Act to authorize the establishment of County High Schools; Education.

By Price (by request)—An Act to create the County of Bidwell; County and Township Governments.

By Voochies—Amending the State Board of Prison Directors to establish a corvée factory at the Folsom State Prison; Internal Improvements.

By Pendleton—Making appropriation to pay claim of Los Angeles Express Company; Claims.

By Finlayson—Providing that no new county shall be created having less than 5,000 population, nor carved from any county having a population of less than 8,000 in said county; Constitutional Amendments.

By Finlayson—Providing that no new county shall be created having less than 5,000 population, nor carved from any county having a population of less than 8,000 in said county; Constitutional Amendments.

By Bennett of Santa Clara—Making an appropriation for additional building to State Normal School at San Jose; Public Buildings.

By Committee on Judiciary—Relative to the appointment of Supreme Court justices; Judiciary.

By Lynch—Amending Code of Civil Procedure regulating demurrers and notices; Judiciary.

By Voochies—Relative to telegraphic corporations; Corporations.

By Duffy—To establish what shall constitute lawful fences within the State; Agriculture.

By Anderson—To authorize the Justices of the Supreme Court to appoint a Librarian; Judiciary.

By Schlesinger—Providing that the Chairman of Boards of Supervisors, District Attorney and Auditor must count at least once a month moneys in the County and Township Governments.

Assembly Bill No. 6—Relative to the serving of summons and complaints.

Assembly Bill No. 6—Entitled an Act to increase the Law Library fund in counties having a population of less than 10,000.

Assembly Bill No. 73—An Act to provide for the payment of jurors and witnesses in criminal cases in Justices' Courts in the State; Judiciary.

Assembly Bill No. 74—An Act to limit the time within which franchises or privileges for the construction, extension or operation of railroads may be granted by Boards of Supervisors of the several counties, and cities and counties, of this State.

Assembly Bill No. 128—Entitled an Act to amend an Act entitled "An Act to provide for the organization and government of irrigation districts, and to provide for the distribution of water and other property, and for the distribution of water therefor for irrigation purposes," approved March 7, 1887, by amending Section 77 thereof.

Assembly Bill No. 26—Entitled an Act to provide two additional Judges of the Superior Court of the County of Alameda.

Assembly Bill No. 37—Entitled an Act to amend the Penal Code, by amending Section 387 thereof, relating to penalty for selling liquor to habitual, or common drunkards, and Indians.

Assembly Bill No. 17—Entitled an Act to add a new section to the Penal Code, to be designated "An Act to provide for the duties of females employed in mercantile and manufacturing occupations."

Assembly Bill No. 31—Entitled an Act to add a new section to the Penal Code, to be known as Section 163, making it a misdemeanor to advertise to obtain or procure a divorce or nullity of marriage.

Assembly Bill No. 84—Entitled an Act to appropriate money for the survey, location and construction of a free wagon road from the town of Mariposa, in Mariposa County, to the Yosemite Valley.

Assembly Bill No. 85, relating to investigating the State Board of Railroad Commissioners, made a special order for next Monday at 10 o'clock p. m.

Assembly Bill No. 86—An Act to authorize the husband or wife, or next of kin, of a deceased person to collect and receive of any bank any deposit in such bank with the same does not exceed the sum of \$500.

The following bills were introduced: By Sargent—An Act to amend the Code of Civil Procedure relative to new trials; Judiciary.

By Miller (by request)—An Act to enfranchise women; Appointment and Election Laws.

By Simpson—An Act to amend the Code of Civil Procedure, relating to trial by jury; Judiciary.

By Kalm—Relative to errors, etc., on assessments; Ways and Means.

By Anderson—To provide for the payment of the per diem of the members and attendants of the Constitutional Convention; Claims.