ONLY A REPRIMAND.

Populist Bretz Will Not Have to Leave the Assembly.

DEMOCRATIC ARDOR COOLS.

Intimations That Bretz Will Not Accept Even This Verdict.

MAY BE ANOTHER SENSATION.

The Reassessment Bill Still on Hearing—The Hawaiian Situation—Keeping Peace Among the Doctors.

The suspense is over.

Bretz will not be expelled from the Assembly which he grossly insulted by charging that he believed money had been used to elect the Hon. Stephen M. White to the highest office within the gift of the people of California--to the United States Senate.

Bretz will be reprimanded--not severely, however – and suspended from participation in the doings of the Lower House for the period of one week.

Will he accept a gentle rebuke? He has sworn by all that is holy on more than one occasion that he will not thus be humiliated!

"The will of the House is my pleasure, with one exception—I do not propose to be brought before the bar of this House and reprimanded," were words he used in the Assembly no later than yesterday —in an almost inaudible tone, however.

Bretz wanted to be a martyr. He courted expulsion.

HE MUST BE THERE.

This morning Bretz will have to sit meekly in his seat and accept, though with pain, such words of censure as Speaker Gould may direct to him. If he carries out what he has proclaimed are his intentions, "the political lion of the American Republic, the biggest man in the United States, the haughty and happy product of a clumsy conspiracy to defraud the people of their vested rights"—as he styles himself—he will endeavor to prevent himself being placed on so low a plane. He cannot absent himself from the Assembly. The muscular Sergeant-at-Arms, with his corps of assistants, will be powerful enough to bring the long and gaunt Populist before the bar of the House. The outcome will be watched with intense interest

Ever since the committee appointed to investigate the charges made by Bretz found findings that there was not one iota of truth in the charges it has been supposed that Bretz would be summarily expelled and his seat be declared vacant. At first the Democrats stood solid for expulsion. Enough Republicans were with them to allow Mr. Bretz to ride in a Pullman or to go less expensively counting railroad ties, with his head bent in shame, to his Alameda home. But a change came about. The Democrats weakened and Republicans faltered. They looked upon expulsion as though Bretz would have been glorified and his own words become verity. They also feared their own acts would be subject to censure, and in the Assembly yesterday a motion to expel was gracefully withdrawn by Shanahan to give place for a substitute offered by Anderson that Bretz be reprimanded and subsequently suspended for the period of one week.

A SPECIAL ORDER.

The consideration of the Bretz matter was made a special order for yesterday morning at 11 o'clock, but the Judiciary Committee, to whom was referred a resolution that Bretz be allowed to have counsel on the floor of the House, was not ready to report, and the matter went over for the afternoon session. A majority of the committee reported in favor of the resolution, but limiting the counsel to one hour's time for argument. The minority opposed the adoption of the resolution.

Shanahan moved the adoption of the minority report.

Speaker Gould made a ruling that Bretz was entitled to counsel, if the counsel he should choose be a member of the House, but if not, then outside counsel could not be heard except by unanimous consent. Mr. Cator, whom Bretz desired to represent him, was seated next to Assemblyman Barlow and was watching the proceedings with great interest.

Barlow immediately got up in behalf of the Populists. He said they were in a predicament, having no lawyers amongst them entitled to speak on the floor of the House, under Speaker Gould's rulings, "but we want some one with your gift of gab," he said, referring to the Speaker.

The question of the adoption of the minority report was put and lost by the following vote:

Ayes—Alford, Brownlie, Buckley, Burke, Conway, Curtis, Drees, Duffy, Emeric, Finlayson, Gately, Godchaux, Hamilton, Hendrickson, Hurley, Hutson, Jacobs, Kahn, Luttringer, McCauley, McElroy, Mack, Marks, Marston, Mathews of Tehama, Matthews of San Benito, Mordicai, O'Neill, Price, Pueschel, Sargent, Schroebel, Shanahan, Sims, Tindall, Gould—36.

Noes—Adams, Anderson, Androus, Barlow, Bennett of Santa Clara, Blakeley, Bledsoe, Bulla, Carlson, Casterline, Chipman, Cusick, Dodge, Duckworth, Durst, Gallagher, Jacobsen, Johnson of Humboldt, Johnson of Santa Clara, Kennedy, Lynch, McGowan, Miller, O'Keefe, Owen, Pendleton, Perkins, Raw, Schlesinger, Simpson, Standart, Taggart, Talbott, Taylor, Thomas of Nevada, Thomas of Santa Clara, Vann, Wade—38.

MATTHEWS' IRONY.

With a spirit of sarcasm Mathews of Tehama offered a motion that Mr. Kerns, whom Bretz accused of selling his vote, be entitled to counsel also. Shanahan followed with a motion that Hon. Stephen M. White and Hon. Marion Cannon be entitled to representation on the floor of the House.

Shanahan contended there was never an instance known where a man who had so unwarrantably abused the privileges accorded him by virtue of his office was allowed the privilege of counsel on the floor of the House. He then reviewed the action of the committee appointed to investigate the Bretz charges. There was no limitation nor exclusion of testimony. Everybody had the privilege of saying as much as they wanted to, which should be sufficient evidence for this House.

"I rise to a point of order, Mr. Speaker; the gentleman from Shasta is not confining himself to the question," interrupted the gentleman from Humboldt.

"More so than when you offered an amendment to a resolution to adjourn out of respect to the greatest and most honored man of the Republican party," was Shanahan's prompt rejoinder, which was greeted with cheers.

Mr. Shanahan continued his argument against Bretz being allowed counsel, and closed by saying it required a two-thirds vote to carry the question, which could not be had.

POPULISTS TALKING.

Mr. Vann, the Colusa Populist, made a speech in which he explained his signing the report of the investigation committee, with the understanding that under the Speaker's ruling at the time he could modify or submit a substitute report if he desired. Speaker Gould called him to order and corrected the wrong impression which Mr. Vann's remarks created.

Mr. Bulla took the floor. "The only question," said he, "is whether Mr. Bretz is entitled to be heard through counsel. The gentleman from Shasta says he is not with all the oratory for which he is justly noted. But there is a higher authority than Mr. ——"

He got no further. A wild shriek was sent forth by Thomas of Santa Clara which created a furor. In his ecstacy caused by the remark of Mr. Bulla, Thomas forgot himself. He was severely lectured by the Speaker for his conduct.

Mr. Bulla resumed his argument and cited a case which occurred back in 1847 to show a precedent for allowing counsel to be heard.

Speaker Gould, however, ruled the decision as inapplicable to the present circumstances.

Mr. Mathews of Tehama reminded the Assembly that the question before them was his substitute, that Mr. Kerns be allowed counsel. In his opinion no one should be heard. There is no case in parliamentary law—in the history of Congress, English Parliament or State Legislatures —to bear out the argument of those who wanted Bretz to be allowed counsel on the floor of the House. He said he objected to any man coming before the House to abuse its privileges, as had been done before the investigating committee.

Major Anderson cited a case which he considered pertinent, and Mr. Schlesinger cited a case before the Legislature of New York, entitled the House vs. J. Gibbons. They favored Mr. Bretz being allowed counsel, as did Mr. Dodge.

NO ARGUMENTS.

Barlow offered a motion which met with defeat that the committee resolve itself into a committee of the whole to listen to arguments.

The majority report of the committee was voted down.

Vann, in a lengthy speech, when he saw there was no chance of Cator being allowed to talk, took up Bretz's defense. He contended that discrimination was being shown. Before the investigaing committee Hon. Stephen M. White charged that money had been used two years ago in the election of a United States Senator. No notice whatever was taken of what the distinguished Senator-elect had said. "Although there are no direct proofs, there are circumstances sufficient to substantiate the statement made by Mr. Bretz," was one of the significant remarks of the speaker.

Mr. Duckworth, in an able speech, claimed the House had no right to take cognizance of what was said before the joint convention, inasmuch as that body had dismissed all proceedings. Having once pardoned Mr. Bretz, he did not see how any further notice could be taken of his remarks.

Major Anderson summed up the situation and thought the best way out of the dilemma was for Bretz to be reprimanded and subsequently suspended for one week. He made a motion to that effect.

Shanahan came to the same conclusion and withdrew his motion calling for the adoption of the Investigating Committee report, expelling Bretz.

Duckworth moved the whole proceedings lie on the table, but no second was offered.

Shanahan asked leave to amend the report of the Investigating Committee by striking out the words expelling Bretz and declaring his seat vacant, and to insert the words of Major Anderson's motion to severely reprimand and suspend him for one week.

Mr. Duckworth objected to the word "severely," which was stricken out, and the report of the Investigating Committee as amended was adopted—that Mr. Bretz be reprimanded by the Speaker and suspended from taking part in the deliberations of the Assembly for one week.

THE HAWAIIAN SITUATION.

Senator Ford, the bright young statesman from Sierra, realizes the importance of the recent occurrences at the Hawaiian Islands, and the mission of the Provisional Government's delegation to the United States.

The Senate had scarcely gotten to work yesterday when he offered a concurrent resolution favoring annexation, as the new Government desires. The resolution was as follows:

WHEREAS, A crisis has arisen in the affairs of the Hawaiian Government, and a desire has been expressed by a large number of the citizens of that Government that their country should be annexed to and become a part of the United States; and whereas, a delegation of citizens of the Hawaiian Government is now on its way to the National Capital to secure such national legislation as will secure the result above suggested; and whereas, the interests of California and of our entire country would be enhanced by the annexation to our domain of the islands now comprised in territory of the Hawaiian Kingdom; therefore, be it

Resolved, By the Senate of the State of California, the Assembly concurring, that whenever the Hawaiian Government shall signify a desire that its territory should be annexed to, and become a part of the territory of the United States, our Senators in Congress be instructed, and our Representatives be requested to use all honorable means at their disposal to bring about such a result, upon such terms as may be most beneficial to the inhabitants of both countries, and be it further

Resolved, That it is the sense of the people of California that under no circumstances and under no conditions should any foreign power, other than the United States of America, ever be permitted to obtain any control or protectorate over the islands comprising the territory of said Hawaiian Kingdom; also

Resolved, That the Governor be requested to immediately telegraph these resolutions to our Senators and Representatives in Washington.

The resolution was referred at the Senator's request to the Committee on Federal Relations and will be reported back quickly and adopted by the Senate.

THE "QUACK" BILL.

Senator Ford also precipitated a rather warm debate during the afternoon on the bill which provides for "the regulation of the practice of medicine and surgery" in California, and the appointment of a State Board of Medical Examiners, who are to decide who are eligible to practice medicine in the future. It is more familiarly known as the "anti-quack" bill, and was introduced by Senator Simpson.

Mr. Ford offered an amendment, when the bill was up for third reading, which he explained was simply to cure an apparent defect in the bill. The measure meant to provide that the three schools of medicine—alopathic, eclectic and homeopathic—should be represented on the board, but it did not say so clearly. He proposed to remedy this.

Senator Carpenter seemed to fear that some one of the schools would get control of the board and freeze out the other two. He thought the bill should go back to the Hospital Committee for reconstruction. Doctors were notorious for disagreeing, he said, and if they were given an opportunity, such as the bill in its present state offered, they would be fighting perpetually.

Senator Ford explained that it was for the very reason suggested by Senator Carpenter that he had offered the amendment.

Senator Seawell took a hand in the affair at this juncture. He, too, was aware of the belligerent propensities of the doctors and was satisfied that great care should be taken to keep them from clawing each other. It was plain that Senators Ford and Carpenter agreed as to what the bill should provide, and he thought he had an amendment that would suit both. This was that the Governor should be instructed in the bill not to appoint more than three members of each school on the Board of Examiners. This would prevent any one school getting control.

Senators Mahoney and Earl talked about the doctors and so did several others, and the concensus of opinion was that anything that would keep the medicos from "scrapping" was satisfactory all around, so the bill was sent back to the committee to be fixed up in that way.

GOUCHER WARMS UP.

Senator Goucher, the big statesman from Fresno, was thoroughly mad when he took his seat yesterday. Somebody had shown him a dispatch in Sunday's *Chronicle*, from his town, purporting to give an account of a mass meeting there to discuss county division. The dispatch said that Mr. Goucher and Assemblyman Mordecai addressed the meeting, and said that "their action, if the division bill came to a vote, would be governed by the voice of the property owners in the proposed new county of Madera, and not by what the people of the old county should say. The article further said that there was great indignation on the part of the Fresnoites, and great confusion at the meeting in consequence."

Senator Goucher rose to a question of privilege, after reading the article, and denounced the Fresno correspondent in bitter terms. He did not blame the paper, he said, because it was at the mercy of the correspondent. The latter he characterized as an "unscrupulous and malignant liar." Continuing, he said, "The fellow that wrote that must have been in some dive drinking five cent-beer instead of at meeting; or else he didn't get his usual hypodermic injection of morphine that day."

AGAINST CATTLE TRUSTS.

Ragsdale's bill, "to prevent combinations to obstruct the sale of live stock in the State of California," was passed finally in the Senate yesterday and sent over to the Assembly.

The measure did not experience much trouble in getting through.

Senator Carpenter, who is always on the alert, wanted to know what the author expected his bill to accomplish. Mr. Ragsdale didn't appear to know much about it, but Senator Ostrom arose and explained the bill at length. He said that under its provisions the big cattle dealers could not dictate to the small dealers where they must make their purchases, and what price they must pay. It would put an end, he thought, to the trust which had existed in this State for years.

Senator Wilson made one of his radical speeches in favor of the bill and against "these fellers that get together," etc. He prefaces all of his speeches with the announcement that he believes in "equal rights to all men," and got it off again yesterday. He was emphatically down on these "fellers," he said, because they let the others do the work and took all the money. That kind of business he declared wouldn't go in a beehive.

PROCEEDINGS IN DETAIL.

EIGHT-HOUR MEASURE PASSED BY THE SENATE.

Lengthy Discussions in the Lower House—The Blaine Memorial—New Bills Introduced.

The Senate convened at 2 P. M., Lieutenant-Governor Reddick in the chair.

A quorum was present, prayer was offered and the journal read.

Senator Goucher, rising to a question of privilege, denounced the author of an article in the *Chronicle* derogatory to him and Assemblyman Mordecai.

The third reading of bills was then proceeded with.

Senate Bill No. 182—An Act to amend Section 3009 of the Political Code of the State of California, relating to the appointment of certain officers and employes by the Board of Health of the City and County of San Francisco—was read.

Senator Carpenter asked the author of the bill, Senator Dunn, if the bill created any new offices.

Mr. Dunn explained that in San Francisco the inspectors provided for in the bill are already employed by the local government. His bill simply proposed to make the offices permanent.

The roll was called and the bill was passed finally, and ordered to the Assembly.

Senate Bill No. 73—An Act to amend an Act entitled "An Act to establish a Political Code," approved March 12, 1872, by amending Section 3244, relating to eight hours' labor—was passed finally. Senator Berry explained his vote against the measure, saying he believed it would be a hardship on persons who desired to enter into contracts for more than eight hours' work a day. Senator Ostrom also explained, during roll-call, that he was opposed to the bill because it would endanger the salaries of men working for contractors. Before the roll-call was finished Senator Maher, the author of the bill, asked that it be laid over for a day.

Senate Bill No. 274—An Act to amend Sections 1912, 1942, 1959, 1973, 1982, 1984, 1990, 1992, 2003, 2004, 2027 and 2094, and to add three new sections, to be known as 1923, 1945 and 1981, all of the Political Code of the State of California, and relating to the National Guard, was passed finally.

The following were also read the third time and passed finally:

Senate Bill No. 218—An Act to amend Section 224 of the Civil Code, regarding the adoption of children.

Senate Bill No. 279—An Act to amend the Civil Code by adding to Part IV., Division 1, a new title, providing for the consolidation of colleges and institutions of higher education.

Senate Bill No. 219—An Act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State.

Senate Bill No. 62—An Act to amend Section 2691 of the Political Code of the State of California, relating to roads and highways.

Senate Bill No. 36—An Act to amend an Act entitled "An Act to provide for the completion of all unfinished county, city, city and county, towns, and township buildings in the several counties, cities and counties, cities and towns throughout the State of California," approved March 11, 1891, was re-referred to the County Government Committee.

Senate Bill No. 166—An Act authorizing the formation of county mutual insurance companies, regulating the transaction of their business, and defining the duties of the officers thereof, was made a special order for Wednesday at 3:30 P. M.

There was a discussion over Senate Bill No. 207, regulating the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation. Senator Ford offered an amendment that the Board of Examiners consist of at least one from each of the three schools of medicine. Senator Carpenter wanted the board to consist of six members—two from each school. Senator Seawell had an amendment prohibiting the Governor from appointing more than three members of the board from any one the medical schools, which amendment was accepted by Mr. Ford. On a vote, however, the amendment was defeated. Senator Carpenter's motion to recommit the bill to the Hospital Committee was carried.

When Senate Bill No. 114, to prevent combinations to obstruct the sale of live stock in the State of California, was read, Senator Carpenter wanted to know what it meant. Senators Ragsdale and Ostrom explained. It was intended to prevent the big dealers from dictating to the small dealers who they shall purchase their meat from. The bill passed.

A communication was received from the Southern Citrus Fair Association inviting the Senate to attend the opening of its fair.

The President of the Senate called up the Sergeant-at-Arms and informed him that complaint had come to him again that the desks of Senators had been tampered with. He warned the officer that a repetition would get him into trouble.

Senator Ford offered a concurrent resolution calling upon Congress to annex the Hawaiian Islands. Referred to the Committee on Federal Relations.

Senator Earl called up the Assembly joint resolution calling for the appointment of a committee from each house to select an orator and prepare a memorial address on the death of James G. Blaine. An order to that effect was made, and on motion of Senator Ford the resolution was concurred in. The Chair appointed Senators Maher, Flint and Gesford.

Senator Hart presented the petition of the California Drainage Convention regarding the bill before Congress for the improvement of the rivers tributary to San Francisco Bay. He also offered a joint resolution calling upon Congress to pass the bill. The resolution was adopted.

New bills were introduced as follows:

By Seawell—Requiring corporations to pay their employes' salaries at least once every month and limiting the defenses of corporations for not paying such salaries; referred to the Committee on Labor and Capital. Also, amending the Civil Code, relative to savings banks; Banks and Banking.

By Ostrom—Amending the Code of Civil Procedure, relative to letters of administration, to whom issued and the method of procedure; Judiciary.

By McGowan—Amending the Civil Code, so as to prevent the incorporation of estates; Judiciary. Also, an amendment prohibiting the willing of more than $500,000 to more than one person; Judiciary.

By Everett—Prohibiting the placing of barbed-wire fences along public streets or highways; Roads and Highways.

By Broderick—Appropriating money to pay the costs of a suit in San Francisco in which the State was the plaintiff; Finance.

The Senate then adjourned until this morning.

ASSEMBLY DOINGS.

Three Lively Sessions—Bretz's Case—More New Bills.

The Assembly met at the usual hour, with Speaker Gould in the chair. Quorum present. Prayer by the Chaplain.

Mr. Emeric offered a joint resolution petitioning our representatives in Congress to urge the annexation to the United States of the Hawaiian Islands. Referred to the Committee on Federal Relations.

Mr. Shanahan moved that the matter of claimed incorrection in the testimony of Mr. Jacobsen taken before the Bretz investigation committee, be referred to a committee of three, consisting of Jacobsen, Shanahan and the stenographer who took the testimony. So ordered.

Mr. Carlson presented a petition from residents of San Diego for the better preservation of game.

Two petitions from residents of Tulare County against county division were presented by Mr. Alford.

Resolutions of the Central Democratic Club of Alameda in relation to the matter of the investigation of A. Bretz were received.

The Assembly, through its Speaker, was invited to attend the Southern California Citrus Fair at Colton. Referred to Committee on Retrenchment.

The Committee on Labor and Capital reported in favor of the passage of Assembly Bills Nos. 525, 404, 193, 398, and Senate Bill No. 134, and that Assembly Bill No. 487 do not pass.

The Committee on Fish and Game reported in favor of the passage of Assembly Bill No. 150, which appoints Sheriffs and Constables as game wardens.

The Committee on Viniculture, Viticulture and Horticulture reported adversely on Assembly Bill No. 123, to provide for publication and sale of an abridgement of the reports of the State Board of Horticulture.

The Committee on Public Buildings and Grounds reported in favor of the passage of Assembly Bill No. 99.

The Committee on Attaches and Employes reported against the adoption of the resolution appointing Jesse Vaughn electrician for the Assembly; in favor of appointing Mrs. Anna Faylor clerk to the Committee on State Prisons; also, that Milo C. Ayer be appointed messenger to the Committee on County and Township Governments. The recommendations of the committee were adopted.

Message received from the Senate of passage of Senate Bills Nos. 206, 200 and 1; also, Senate Joint Resolution No. 12. Bill No. 206 referred to Committee on State Hospitals; 200 to Public Lands; No. 1 to Committee on Municipal Corporations, and Senate Joint Resolution No. 12 to Irrigation Committee.

The Committee on Judiciary reported on the following bills, as follows: That Assembly Bill No. 247, providing for the appointment of court reporters pro tempore, do not pass; that Assembly Bill No. 246, to enfranchise women citizens, do pass; that Assembly Bill No. 305, amending Section 1210 of the Code of Civil Procedure, do pass; that Assembly Bill No. 353, to amend Section 1261 of the Civil Code, do pass; that Senate Bill No. 11, relating to setting apart exempt property for the use and benefit of insolvent debtors, do pass; that Senate Bill No. 20 do pass, which relates to estates of deceased persons; that Assembly Bill No. 104, relating to the control, management and disposition of community property, do pass as amended; that Assembly Bill No. 133, in relation to dismissal of actions, do pass. The committee reported without recommendation on Assembly Bill No. 109, relating to the qualifications of attorneys and counselors-at-law; that the authors of Bills Nos. 234 and 261 be permitted to withdraw them.

The following bills were introduced:

By Matthews of San Benito—To amend the Act establishing a State Reform School for juvenile offenders; State Prisons.

By Hurley—To amend Section 501 of the Civil Code, relating to street railways; Municipal Corporations.

By Kennedy—An Act to amend Section 3572 of an Act entitled "An Act to establish a Political Code"; Swamp and Overflowed Lands.

By Duffy—An Act prohibiting the use of barbed-wire fences on public highways; Roads and Highways.

By Curtis—To amend Political Code, relating to the Board of Health in San Francisco; State Hospitals.

By Dodge—To appropriate $256 54 to pay the claim of John M. Creed for work on the State Deaf and Dumb Asylum at Berkeley; Claims.

By Curtis—Relating to the liens of mechanics and others; Judiciary.

By Finlayson—To add a new section to Code of Civil Procedure, relating to foreclosure of suits; Judiciary.

By Casterline—Providing that the Superior Court of San Diego County shall have but one Judge; Judiciary.

By Curtis—An Act regulating the practice of architecture; Judiciary.

By Bulla—An Act to amend Section 3046 of the Civil Code; Judiciary.

By Sargent—Providing that the Trustess of any Normal School may grant permission to any teacher to attend County Institutes and give instruction on subjects relating to education in the public schools; Education.

By Finlayson—Relative to the sale of bonds of levee districts; Swamp and Overflowed Lands.

By Carlson—An Act to authorize cities operating under a charter framed under the provisions of Section 8, Article XI. of the Constitution to surrender such charter and reorganize under the general municipal laws; Municipal Corporations.

On motion of Mr. Mathews of Tehama it was ordered that an evening session be held for the first reading of bills.

Mr. Perkins was granted leave to withdraw Assembly Bill No. 273.

The following bills were read the second time and action taken as designated:

Assembly Bill No. 26—An Act to provide two additional Judges of the Superior Court in Alameda County. Passed on file.

Assembly Bill No. 17—An Act to add a new section to the Penal Code of the State of California, to be designated as Section 402, relating to the duties of females employed in mercantile and manufacturing occupations. Passed on file.

Assembly Bill No. 84—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 when the same does not exceed the sum of $500. Ordered engrossed and passed to a third reading.

Assembly Bill No. 190—An Act to provide for a day of rest from labor.

Mr. Raw moved to amend by striking out Section 3 of the bill.

Further consideration of the bill was ordered passed on file.

The committee substitute for Assembly Bill No. 144, relative to the prohibition of prize-fighting and pugilistic sport, was ordered engrossed and passed to a third reading.

Assembly Bill No. 185—An Act to amend Section 3773 of the Political Code, relating to the sale of property for delinquent taxes. Read second time, ordered engrossed and passed to a third reading.

Assembly Bill No. 142—An Act regulating the hours of labor in sawmills, shingle mills, shake mills and logging camps. Passed on file.

Assembly Bill No. 43—An Act to provide for the publication of monthly statements of city indebtedness. Passed on file.

Assembly Bill No. 30—An Act entitled an Act to amend Section 15 of An Act to provide for the formation, government, operation and dissolution of sanitary districts in any part of the State for the construction of sewers and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof, and the determination of their validity, and making provision for the payment of such bonds and the disposal of their proceeds." Passed on file.

Assembly Bill No. 100—An Act to change the name of the Mendocino State Asylum for the Insane to Mendocino Asylum. Ordered engrossed and to a third reading.

Assembly Bill No. 14—An Act to add a new section to an Act to establish a Political Code of the State of California, to be called Section 2984, relative to the appointment of a State Sanitary Inspector. Ordered engrossed and to a third reading.

Assembly Bill No. 8—An Act to promote the purity of elections. Consideration postponed.

Mr. Tindall, Chairman of the Committee on Elections and Privileges, reported in favor of seating of Mr. Miller, of the Forty-ninth Assembly District.

The Committee on Claims reported against the passage of Assembly Bill No. 328, to provide for the payment of the claim of James C. Smith for work on the grounds of the Stockton Insane Asylum. That Assembly Bill No. 222, for the relief of Barnaby Dougherty, do pass. That Assembly Bill No. 284, for the relief of George Dougherty, do pass; that Assembly Bill No. 317, for the relief of Patrick Creighton, do pass. The three last named bills were referred to the Committee on Judiciary.

Recess.

AFTERNOON SESSION.

Assemblyman Anderson introduced a resolution at the instance of the State Drainage and Reclamation Convention, petitioning Congress to pass Congressman Caminetti's bill providing for the investigation of the navigability of the waters and rivers tributary to the bay of San Francisco, with a view to making improvements thereof. Made a special order for this morning at 11 o'clock.

The following bills and resolutions were read the second time and disposed of in the manner designated:

Assembly Bill No. 169—An Act to cede jurisdiction to the United States over certain lands. Passed on file.

Senate Bill No. 24 was substituted for Assembly Bill No. 33 on file.

Assembly Joint Resolution No. 10—Relative to the refunding of moneys to certain settlers on Government lands in Fresno, Monterey, Merced and San Benito Counties. The resolution was adopted.

Assembly Joint Resolution No. 81—Relative to the payment of the debt which the Pacific railroads owe to the Government. The resolution was adopted.

Assembly Bill No. 71—An Act to amend an Act entitled "An Act to insure the better education of practitioners of dental surgery, and to regulate the practice of dentistry in the State of California," approved March 12, 1885. Ordered engrossed and to a third reading.

Assembly Bill No. 45—An Act amendatory of and supplemental to an Act entitled "An Act to create a Police Court in and for the city and county of San Francisco, State of California," approved March 5, 1889, and providing for an additional department, to be known as Department No. 4, and the appointment of a suitable person to act as Judge of said court. Mr. Hurley presented a resolution from the Board of Supervisors of San Francisco against the passage of the bill. He moved that the enacting clause of the bill be stricken out.

Mr. Anderson said that the committee to whom the bill was referred gave it careful consideration, and, from evidence adduced, an extra Police Judge for San Francisco was a necessity. He hoped the author of the motion to strike out the enacting clause would withdraw it, and when the bill comes up for final passage the merits and demerits of the bill be discussed.

Mr. Hurley subsequently withdrew his motion, the bill was ordered engrossed and to a third reading.

Mr. Shanahan, of the Bretz investigation committee, reported that the transcript of Mr. Jacobsen's testimony was changed somewhat by the action of the committee.

A report of the Judiciary Committee was submitted by Mr. Shanahan, as follows:

"Mr. Speaker: Your Committee on Judiciary, to whom was referred the following Assembly resolution:

"WHEREAS, A select committee of the house did, on January 24th, file its report in this house, among other things recommending the expulsion of A. Bretz from this house and that his seat declared vacant, by which his seat is imperiled; and whereas, in such cases, by precedent, both of Congress and Legislatures, the accused is entitled to be heard by counsel at the bar of the house before action thereon; now, therefore, be it

"*Resolved*, That before a vote is taken upon said report the said A. Bretz be heard by counsel of his choice at the bar of the house.

"That the same be amended by adding thereunto the following: Provided, however, that any argument made by counsel for Mr. Bretz shall be limited to one hour.

"We have had the same under consideration and respectfully report the same back and recommend that it do pass as amended.

"Signed: C. G. Dodge, Robert N. Bulla, James T. O'Keefe, C. M. Simpson, H. B. M. Miller, R. I. Thomas, Bert Schlesinger, H. J. Duckworth.

"We, the undersigned, members of said committee, dissent and recommend that said report be not adopted.

"Signed: Shanahan, Alford, Hamilton, Finlayson, Mack."

The minority report was lost by a vote of 36 ayes to 38 noes.

Mr. Mathews of Tehama offered an amendment to the majority report that Mr. Kerns be also permitted to the privileges of the floor or be represented by counsel.

The amendment was lost.

The committee report was voted down by 36 ayes to 38 noes.

Mr. Barlow moved that the Assembly resolve itself into a committee of the whole for the investigation of the Bretz matter. Lost.

A resolution was offered by Mr. Shanahan that Aaron Bretz be expelled from the Assembly and his seat be declared vacant.

Mr. Vann moved a substitute:

WHEREAS, No positive proofs have been introduced to show that money was used in the election of the United States Senator, yet the circumstances surrounding the vote of Mr. Kerns were of such a suspicious nature that it is reasonable to lead any man to say that he believed what Bretz said that he believed; therefore, be it

Resolved, That A. Bretz shall hereby be discharged from any punishment whatever from the Assembly.

Bledsoe moved as a substitute that Mr. Bretz be suspended for one week.

Mr. Anderson offered an amendment to the last substitute that Bretz be reprimanded by the Speaker, and thereafter be suspended for one week. The resolution was adopted by a vote of 60 to 16.

Mr. Shanahan offered an amendment to the original report of the Committee on Investigation that the words expelling Bretz be eliminated, and the words inserted to the effect that Bretz be severely reprimanded and suspended for one week.

Mr. Barlow moved that the report of the Investigation Committee be re-referred to them for the purpose of amending it. Lost.

Mr. Duckworth moved as an amendment to Mr. Shanahan's motion that the word "severely" be stricken out, and that Mr. Bretz be simply reprimanded and expelled. Carried.

The question recurring on the adoption of the committee's report as amended, it was adopted by a vote of 59 ayes to 13 noes.

Speaker Gould announced the following Assemblymen as a committee to investigate the charges against Assemblyman Johnson, preferred by Railroad Commissioner Rea: Messrs. Mordecai, Hendrickson, Hurley, Bulla and Bledsoe.

Recess.

EVENING SESSION.

The following bills were read the first time and passed to a second reading:

Assembly Bill No. 334—An Act to amend "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relating to county supplies, printing and advertisements.

Assembly Bill No. 114—An Act to provide for the organization, incorporation and government of towns.

Assembly Bill No. 115—An Act to amend section 4234 of the Political Code of the State of California, relating to the books of records to be procured and kept by the County Recorder.

Assembly Bill No. 270—An Act to establish a naval battalion to be attached to the National Guard of California.

Assembly Bill No. 173—An Act to amend the Civil Code by adding to Part IV, Division I, a new title, providing for the consolidation of colleges and institutions of higher education.

Assembly Joint Resolution No. 4—Relating to the free and unlimited coinage of silver.

Assembly Bill No. 189—An Act to amend Section 1218 of an Act entitled "An Act to establish a Code of Civil Procedure of the State of California," approved March 11, 1872, relating to contempt of court and punishment thereof.

Assembly Bill No. 162—An Act to add a new section to the Code of Civil Procedure of California, to be known as Section 1619, relating to the commissions of the executor or the administrator, with the will annexed, in cases where the administration is, by the terms of the will, and, in consequence thereof, extended beyond four years.

Mr. Finlayson was granted leave to withdraw Assembly Bill No. 183.

Assembly Bill No. 271—An Act to amend Sections 778 and 782 of the Political Code of the State of California, relating to the printing and sale of the reports of the Supreme Court of the said State of California, and to repeal Sections 779, 780 and 781 of said Political Code.

Assembly Bill No. 143—An Act to regulate the rate of interest in this State.

Assembly Bill No. 82—An Act to amend Sections 1303, 1323, 1365, 1388, 1439, 1516, 1517, 1536, 1545, 1547, 1548, 1550, 1551, 1552, 1553, 1554, 1557, 1558, 1565, 1592, 1597, 1598, 1599 and 1618, and to repeal Sections 1518, 1519, 1522, 1523, 1524, 1526, 1529, 1530, 1531, 1532, 1533, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1549 and 1556, and to add four new sections, to be known and designated as Sections 1546, 1551½, 1592 and 1597½, of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the estates of deceased persons.

Assembly Bill No. 83—An Act to amend Sections 1768, 1770, 1777, 1788 and 1789 and repealing Sections 1778, 1781, 1782, 1783, 1784, 1785, 1786 and 1787 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," approved March 11, 1873, all relating to the guardianship of the persons and estates of minors and incompetents, and adding a new section to said Code of Civil Procedure, to be known and designated as Section 1771½, also relating to the guardianship of the persons and estates of minors and incompetents.

Assembly Bill No. 69—An Act to amend Section 1668 of an Act of the Legislature of the State of California entitled "An Act to establish a Code of Civil Procedure," relating to proceedings for the distribution of the estates of deceased persons.

Assembly Bill No. 112—An Act to amend Section 164 of the Civil Code of the State of California, relating to conveyances of real property by married women and limiting the time in which to commence actions for recovery of community property by husbands.

Assembly Bills Nos. 360 and 358 were re-referred to the Committee on Judiciary.

Assembly Bill No. 359—An Act to amend Section 91 of an Act entitled "An Act to establish a uniform system of county and township governments," approved March 31, 1891, relative to counting the money in the County Treasury.

Assembly Bill No. 125—An Act to increase the number of Judges of the Superior Court of the county of Santa Clara, and to provide for the appointment of an additional Judge, and to fix his compensation.

Assembly Bill No. 62.—An Act to prevent combinations to obstruct the sale of live stock in the State of California.

Assembly Bill No. 188—An Act to amend an Act entitled "An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State, and to repeal so much of an Act entitled 'An Act to form agricultural districts, to provide for the formation of agricultural associations therein, and for the management and control of the same by the State,' approved March 20, 1891," by amending Sections 1, 11 and 12.

Assembly Bill No. 87—An Act to repeal an Act entitled "An Act fixing a bounty on coyote scalps," approved March 31, 1891.

Assembly Bill No. 60—An Act amending Section 1207 of the Civil Code of the State of California, approved March 12, 1872, relating to proof and acknowledgment of instruments.

Assembly Bill No. 164—An Act to amend an Act entitled "An Act to establish a Code of Civil Procedure," adopted March 11, 1872, by adding thereto a new section, to be known as Section 570, relating to the appointment of receivers of the property of corporations.

Assembly Bill No. 227—An Act amending Sections 1577 and 1578 of the Code of Civil Procedure, relating to mortgages and leases in certain cases.

Assembly Bill No. 214—An Act to amend Section 1206 of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in cases of executions and attachments.

Assembly Bill No. 96—An Act to add a new section to the Political Code, to be numbered 3819, relating to the payment of taxes under protest, and the right of action to recover taxes so paid.

Assembly Bill No. 212—An Act to amend Section 1204 of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred on assignments for benefit of creditors.

Assembly Bill No. 213—An Act to amend Section 1205 of the Code of Civil Procedure, relating to certain liens for salaries and wages, and to persons preferred in estates of deceased persons.

Assembly Bill No. 232—An Act for the regulation of the practice of medicine and surgery in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulation.

Assembly Bill No. 403—An Act to amend Section 626 of the Penal Code, relating to the preservation of game birds and animals, and providing punishment for the unlawful taking, killing and transportation thereof.

Assembly Bill No. 428—An Act to amend Sections 527, 531 and 532 of the Political Code, relating to public printing and the duties of the Superintendent of State Printing.

Assembly Bill No. 416—An Act authorizing the Superintendent of State Printing to have prepared and printed an index to all the laws of California, 1850-93.

Assembly Bill No. 447—An Act exempting agricultural, horticultural, viticultural and pastoral occupations from license taxation.

Mr. Owen demanded a call of the roll to ascertain if a quorum be present, which was ordered. A quorum being present the first reading of bills was proceeded with.

Assembly Bill No. 298—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 30, 1878.

Assembly Bill No. 36—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. 311—An Act to amend an Act entitled "An Act to establish a School of Industry, to provide for the maintenance and management of the same, and to make any appropriations therefor," approved March 11, 1889.

Assembly Bill No. 352—An Act to amend an Act entitled "An Act to amend an Act entitled 'An Act to