

BLUE AND GOLD.

Varsity Colors Adorn the Senate and Assembly.

Senate Votes Against Reducing Street Railway Fares.

The Road Out of the Difficulty Believed to Have Been Found.

Sub-Committee Appointed to Draft a Conciliatory Bill to Settle the State Printing Dispute.

An interesting session of the Senate Judiciary Committee was held yesterday afternoon, at which most of the members of the Assembly interested in the charges preferred by the Governor against the State Printer, were present. In order to work to some advantage it was agreed to appoint a joint sub-committee, to consist of Morehouse, Gillette and Seawell of the Senate, and Wayne, Dibble and Caminetti of the Assembly, to frame a bill to harmonize, if possible, all existing differences between the majority and minority relative to the State printing muddle.

It was further agreed that the bill to be drawn should provide for future necessary appropriations, and to cover all deficiencies created since January 4th of the present year, but that all questions of deficiencies, or moneys alleged to be unaccounted for prior to that date should be left open for future investigation, and should not be covered by the bill.

The bill to be drawn will appropriate \$40,000, and all items shall be first submitted to the Board of State Examiners for approval before being paid.

George A. McCalvy, formerly book-keeper in the State Department at the Capitol, and who was recently discharged by Secretary Brown, was before the Senate Finance Committee yesterday and testified concerning what he knew about coyote scalps. McCalvy, however, repeated the story already published, and the committee adjourned without action.

The only thing of importance at the morning session was the debate on the bill proposing to reduce street railway fares in San Francisco. The entire Senate arrayed itself against Braunhart, who put up a game fight for his pet measure, and took defeat hard.

At the afternoon session the omnibus game law passed without opposition, as did also the bill fixing a one cent tax for the support of the State University.

GETTING TOGETHER.

The work of the Senate Judiciary Committee as outlined above, was, at least in part, the result of a conference held yesterday morning by the Governor, the Attorney-General and the State Printer, at which the printing matter was discussed and an agreement outlined similar in character to the action subsequently taken by the committee.

Governor Budd went to San Francisco last evening, but it is understood that he will be at his desk Monday to carry out his part of the agreement, as he claims not to be inimical to the appropriation per se. It is expected that a meeting of the Board of Examiners will be held Monday.

WRIGHT'S HAPPY DAY.

Assemblyman Wright and the other alumni of U. C., together with many friends of the university, spent a very happy day yesterday.

The campaign of the university tax bill, which was introduced by Wright, and which passed the Senate yesterday, has been carried with enthusiasm to a successful issue. After its passage the bill was at once enrolled and sent to the Governor. The executive had been furnished with a handsome blue and gold pen with which he signed the bill, his last official act before departing for San Francisco. All at once the two legislative halls blossomed out in blue and gold, everybody donning a satin knot of more or less capacious proportions, and the desks of the President of the Senate and the Speaker of the House were decorated with broad satin ribbons of the "Varsity colors."

The venerable and beloved Le Conte "Professor Joe," as he is affectionately known—was being feted last night in San Francisco, with Mrs. Le Conte, in honor of their golden wedding, and to their great happiness was added that of a dispatch bearing the welcome news of U. C.'s good fortune.

APPROPRIATION BILL.

The general appropriation bill is promised by the Ways and Means Committee for to-day or to-morrow. It is a voluminous document.

IN THE SENATE.

University Bill Passed—Street Railway Fare Bill Quashed.

In the Senate yesterday morning Voorheis introduced a bill relating to records on appeals and to certification and transmission thereof, which was referred to the Judiciary Committee. Stratton also introduced a bill relating to electric lighting plants, etc., which was referred to the Committee on Hospitals.

IS IT CONSTITUTIONAL?

On motion of Withington S. B. 317, relating to reports to be made to the Board of Railroad Commissioners by

railroads and other transportation companies, and fixing a penalty for failure to comply therewith, was referred to the Judiciary Committee with instructions to pass upon its constitutionality.

STREET RAILROAD FARES. Committee substitute for S. B. 30, to reduce the rate of fares on street railroads within the incorporated limits of municipal corporations of the first class and to require the issuance of tickets, not exceeding sixty, at reduced rates, to any one person, was called up and Braunhart said he hoped no further reference by committee would be made. He substituted in order to allow the Committee on Rules and Revisions to hand in a report announcing that while the bill was correct in text and reference, it was unconstitutional.

BRAUNHART'S FIGHT.

Then Braunhart took up the thread of his argument and sought Dickinson and Withington for waiting until the last moment to hand in an adverse report. He submitted that the opinions of a couple of ordinary lawyers had no weight with him as to the constitutionality of the bill, and contended that similar measures were passed daily and favored by both Withington and Dickinson.

For a full hour Braunhart held the floor and turned loose a volume of argument intended to prove that the bill was constitutional. He showed, among other things, that a similar state of affairs as those proposed by the bill existed in the city of Detroit, and had proven a success in every particular.

WOLFE AGAINST IT.

Wolfe, who followed, declined to discuss the question from a constitutional standpoint, and also said he should not attempt to reply to the slurs cast by Braunhart. From the speech that had just been made it would be imagined, he said, the poor of San Francisco were standing upon the street corners waiting for the Senate to come to their relief with the Braunhart two-and-one-half-cent bill. He contended that the gripmen and conductors who had been sneered at by Braunhart were fully as intelligent as the author of the bill, and the speaker had received a petition signed by 3,000 of those same gripmen and conductors protesting against the passage of the bill. In the interest of these thousands, he opposed the bill, and did so fearlessly, believing that the people of San Francisco understood and appreciated his endeavors. The unanimous opinion of the workmen of San Francisco, he said, was against the passage of the measure. He contended that a reduction of fares meant that a number of roads in San Francisco would have to be run at a loss, and it would be bad policy to slap at the Market-street corporation and thereby ruin a number of others.

Withington spoke regarding the constitutionality of the Act and explained the action of the committee in handing in an adverse report.

A PETITION.

Mahoney got the floor and presented a petition signed by 2,500 employees of San Francisco street railway corporations protesting against the passage of the bill on the ground that a reduction of fares meant a like reduction of wages.

Morehouse cited a number of authorities to show that an enactment of the kind proposed would be unconstitutional. He argued that the bare statements made by Braunhart was the only incentive offered to pass the bill. Smith thought that while the bill was, in his opinion, entirely constitutional, he could not support the measure for the reason that its proponents had utterly failed to make their case. The showing had not been made that by the passage of the bill justice would be done to both the populace and corporations.

BERT OPPOSES.

Bert did not base his opposition to the bill upon its unconstitutionality, but upon the ground that some of the San Francisco railway companies would be forced out of the business. He cited the statement made that the Presidio road, in which \$500,000 of capital was invested, had not declared a dividend for several years, and said that the passage of the bill, beside ruining, financially, the corporation, would throw its employees on the streets to join the thousands of unemployed already there.

Braunhart closed, submitting that the signers of the petition mentioned by several speakers did not represent organized labor, but that they would do so were they not withheld by the street railway corporations. He protested that the constitutionality of the measure was a question for the courts to determine, and that precedent should be made by clearly valid legislation. Withington took issue with Braunhart regarding an authority cited by the latter, but was obliged to withdraw, badly battered, when Braunhart drew the transcripts of the case upon him. Braunhart also answered the objection advanced by Smith, quoting decisions in defense of his position. The Speaker declared that he was not interested in legislating against the Market-street railway, but that his bill was in the interest of the entire city of San Francisco. The Speaker scored Withington and Smith from long law, and so far as they were concerned had much the best of the round.

The bill was refused passage by a vote of 6 yeas, 33 noes, Braunhart, Dwyer, Hall, LaRue, Seawell and Toner voting aye, Linder not voting.

Holloway, for the Committee on Attachments, reported back the resolution providing that W. F. Porter be allowed \$16 for two days' services as minute clerk before organization, recommending that it be adopted. The report of the committee was agreed to by a vote of 32 to 0.

ASSEMBLY MESSAGE.

A message was received from the Assembly announcing that that body had refused to concur in the Senate amendment to the concurrent resolution providing for the appointment of a committee to investigate the charges made by the Governor against the State Printer, and requesting that the Senate recede from the same.

S. B. 11, by Bert, prescribing conditions upon which certain foreign insurance corporations, associations, partnerships or individuals may be permitted to transact insurance business, was read the third time, amended by special committee by striking out Section 7 and ordered re-engrossed.

A. 12, on motion of Withington, a recess was taken until 2 o'clock.

Afternoon Session.

A. B. 316, by Efficiency, to provide for increasing the efficiency of the fire department by the removal of the fire department from the file, was taken up. Mahoney explained that the bill merely empowered the Board of Supervisors, when in its judgment it was deemed necessary, to provide a paid fire department, and the bill passed by a vote of 29 to 1, on motion of Withington, a recess was taken until 2 o'clock.

GAME BILL PASSED.

A. B. 452, relating to game, and being the general game omnibus bill, having already been read the third

time, was passed by a vote of 32 to 0; title approved.

UNIVERSITY TAX LEVY.

A. B. 120, by Wright, to provide additional support and maintenance, and for the acquisition of necessary property and improvements for the University of California by the levy of a rate of taxation and the creation of a fund therefor, was passed by a vote of 37 to 0; title approved.

A. B. 496, by Valentine, amending Section 1238 of the Code of Civil Procedure, relating to the right of eminent domain, was passed by a vote of 29 to 2; title approved.

SECOND READING.

The following Assembly bills were read the second time and ordered engrossed: 622, by Dibble, to accept from the Veterans' Home Association the conveyance of and to vest the title in the State to the tract of land in Napa County known as the Veterans' Home, Simpson refused to concur in the revision of Codes and Statutes, relating to conveyances under order of court.

A. B.'s 456, to amend Section 691 of the Code of Civil Procedure, having been adversely reported by the Judiciary Committee, was on motion of Simpson refused a second reading.

Simpson also moved that A. B. 457, relating to dissolution of corporations, be refused a second reading, the Judiciary Committee having reported it adversely. Wolfe objected, stating that the vote in the committee had stood 4 to 3. Withington also spoke, and Simpson replied to Wolfe, stating that he was mistaken and that the bill had been fully considered in committee. The bill was read and ordered engrossed.

A. B. 458, to amend Section 868 of the Code of Civil Procedure, having been adversely reported by the Judiciary Committee, was on motion of Simpson refused a second reading.

A. B. 4, by Dibble, to protect all citizens in their civil rights, was read, amended and ordered to a third reading.

The following were read the second time and passed to third reading: 11, by Bridgford, respecting the mortgaging of personal property; 23, by Seawell, to amend Section 1575 of the Code of Civil Procedure; A. B. 273, by Caminetti, relating to the disqualification of Judges.

THIRD READING.

S. B. 491, by Doty, to amend Sections 2547, 3549, 3553, 3554 and 3555 of the Political Code, relating to 3850 lands and the foreclosure of delinquent purchasers, having already been read the third time, was passed by a vote of 33 to 0; title approved.

REFUSED PASSAGE.

S. B. 95, by Langford, to provide for the inheriting of community property by a married woman, upon the death of her husband, instead of to her heirs, was read the third time, and created quite a lively debate in which most of the lawyers on the floor took part. The bill was refused passage by a vote of 8 yeas to 28 noes.

S. B. 249, by Stratton, making the expense of giving a bond by administrators, executors, etc., an expense payable as an expense of administration, was read, and was received with a storm of opposition, led by Bulla and Gillette. The bill was refused passage by a vote of 10 to 21. Stratton changed his vote and gave notice of a motion to reconsider.

STATE PRINTING RESOLUTION.

The Assembly message announcing that that body had refused to concur in the Senate amendment to the concurrent resolution relative to the appointment of a committee to investigate the charges made by the Governor against the State Printer, was taken up and read.

Dickinson moved that he refer to the Governor and the State Printer, but subsequently named Executive Nominations as its proper place. It was so referred with the understanding that it will be reported back this morning.

NEW BILLS.

By Dwyer—to provide a mode for changing the grades of streets—City, County and Town Government.

By Dwyer—Constitutional Amendment, relating to fund charters for cities having more than 35,000 inhabitants.

By Morehouse—Appropriating \$10,000 for the purpose of making an exhibit at the Horticultural Exposition to be held at Hamburg, Germany—Finance.

A resolution, by Mahoney, providing that the Chairman of the Committee on Prisons and Prison Buildings appoint such members of the committee as he may deem necessary to visit the prison buildings of the State and report their condition to the Senate, and that in lieu of mileage, as heretofore, they be allowed actual traveling expenses, was referred to the Committee on Contingent Expenses.

At 4:25 o'clock, on motion of Voorheis, a recess was taken until 8 p. m.

Evening Session.

The evening session was uneventful, being given over entirely to the second reading file.

The following Senate bills were read the second time and ordered engrossed: 519, by Boyce, relating to absence of certain officers from the State; 336, by Simpson, relating to the public schools; 467, by Flint, relating to the time bonds may be issued for; 473, by Boyce, relating to the duty of the deposit and withdrawal of any or all money for which such sureties are or may be held responsible—committee amendment adopted; 506, by Dickinson, relating to the sale and redemption of property sold under power of sale in mortgages or trust deeds.

Also, 533, by Dickinson, authorizing municipal authorities to designate and set apart streets, and restricting the power to grant franchises upon streets so designated and set apart—committee amendment adopted; 503, by Andrews, providing for the abandonment of operations by the amendments made for their disorganization upon the discharge of all outstanding indebtedness—committee amendments adopted; 542, by Linder, to provide for the construction of a free wagon road from the Mono Lake Basin, to connect with a road already existing, and to appropriate \$25,000 therefor—referred to the Finance Committee.

The committee substitute for Gillette's bill, 416, relating to pilots, Pilot Com-

missioners and pilotage, was read, and Gillette offered a substitute for the substitute. Gillette moved the adoption of his substitute, but withdrew in order to allow Dickinson to move that the substitute be printed. The latter motion prevailed.

Stratton withdrew S. B. 464, relating to enrollment of persons subject to military duty, and substituted S. B. 364, relating to the establishment of a tax on collateral inheritances, etc., which was read the second time.

The following bills were also read: 500, by Bert, in relation to labor and material on public buildings—committee amendments adopted.

Pedar withdrew S. B. 295, relative to the qualifications and competency of phonographic reporters in the courts of the State, and substituted S. B. 689, to promote the horticultural interests, which was read the second time.

On motion of Prisk, S. B. 109, to provide for the appointment of a Debris Commissioner, was withdrawn, as A. B. 742, being identical, had been favorably reported by the Finance Committee.

Simpson offered two constitutional amendments relating to the judiciary department, which were ordered printed without reference to a committee until their return, then to go to the Judiciary Committee.

Pedar withdrew S. B.'s 269, relating to the disqualifications of Judges and Justices of the Peace, and 297, referring to Jurors' fees.

Bulla withdrew 331, relating to jury trials in criminal cases, and substituted 339, appropriating \$70,000 for that exhibit at the trans-Mississippi Exposition to be held in Omaha, 1898, which was read, and committee amendments adopted reducing the appropriation to \$50,000.

S. B. 372, by Langford, relating to the right of eminent domain, was read.

Gillette withdrew 371, relating to jury trials in criminal cases, and substituted 379, appropriating \$70,000 for that exhibit at the trans-Mississippi Exposition to be held in Omaha, 1898, which was read, and committee amendments adopted reducing the appropriation to \$50,000.

S. B. 506, by Mahoney, prohibiting burial of the dead in cities of 100,000 inhabitants, was read and ordered engrossed, though a strong effort was made to refuse it a third reading.

Morehouse withdrew S. B. 465, relating to the appointment of a Clerk for the Superintendent of Public Instruction, and substituted S. B. 618, by Frank, providing for a reform school for girls in Santa Clara.

At 10 o'clock, on motion of Pedar, the Senate adjourned.

IN THE ASSEMBLY.

A Good, Old-Fashioned, Gentlemanly Political Debate.

After the convening of the Assembly yesterday morning Dibble moved that the Senate messages received late on Wednesday evening should be considered before the special order was taken up. So ordered.

THE JOINT COMMITTEE.

It will be remembered that Dibble on Wednesday amended A. C. R. 6, creating the Joint Investigation Committee, and that the bill should be added two expert printers, and two expert printers, one of each to be appointed by the majority and one of each by the minority. This being sent to the Senate, that body rejected Dibble's amendment and so reported to the Assembly late on Wednesday evening.

The Assembly took up under Senate messages, the resolution, as it stood shorn of Dibble's amendment, and by a unanimous vote refused to concur in the Senate's action.

This was not done, however, without the regular daily difficulty which, on the morning of the 18th, was a personal aspect of the matter.

Dibble hoped the House would not concur in the Senate's amendment, charges had been made by the minority against the State Printer and he desired to see this investigation made full and fair beyond the possibility of question. If the State Printer was found guilty, the Assembly would have to deal with him. If he had done no wrong then he (Dibble) wished to see him vindicated.

Price hoped the House would concur in the Senate's amendment in striking out the expert printers. He considered that the Assembly should not concur in the Senate's amendment, but that it should concur in the House's amendment, and thought Dibble's amendment superfluous.

The sentiment of the speakers of the minority was that the adoption of Dibble's amendment had been a magnanimous action on the part of the majority, and that it should be maintained in the investigation. McCheslin, Bridgford and Emmons spoke well on the matter and urged the house to refuse concurrence.

On the majority side Malcolm, Valentine and Melick joined Dibble in dissenting from the action of the Senate; North, Demery and Price spoke in favor of concurrence with the Senate.

Shanahan, in speaking for the minority, made a vicious attack on the majority members of the committee, Demery and Price, claiming that they had been guilty of grossly abusing the Senate; North, Demery and Price spoke in favor of concurrence with the Senate.

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REPRESENTATIVE GOVERNMENT.

Dryden had, in a way flung down the gauntlet to Dibble in the beginning by quoting the latter's avowed faith in and admiration of the representative form of government, and Dibble was quick to pick it up. "Arise, arise when Dryden has finished, and his reply showed that he deemed Dryden a foe worthy of his steel. Dibble made so scholarly, so polished, and so patriotic a defense of the Constitution and the form of government bequeathed to us by the fathers that he roused enthusiasm throughout the House and was applauded heartily.

That this interesting and well-considered debate had created thoughtful interest in the subject in hand was evident, and when Hill of the majority desired to amend Dibble's measures by changing the wording of a clause so as to make only voters eligible to the necessary petitions, and by increasing the number of necessary signatures from 20 to 30, Dryden promptly accepted the amendments, saying he cared not how large the per cent might be, the great object being to have the subject brought to consider these subjects the greater would be the good to the nation. This brought applause from the majority, and the amended A. C. A.'s were sent to the printer.

CONTINGENCY BILL PASSED.

Guy's 840, appropriating \$20,000 for the contingent expenses of the Assembly, was also on the special order file, on third reading Guy explained that the fund was so near exhaustion that there would be no pay for the attaches this week unless the bill was passed. This necessity, however, did not save the bill from the inevitable political squabble.

The measure was passed, after which recess was taken until 2 o'clock.

AFTER RECESS.

After recess work was at once begun on the Senate messages. The following Senate bills were passed:

Bulla's 47, making a marriage subsequent to a divorce illegal until a year after the divorce is granted, unless death grants a double release; Flint's 67, adding a section to the Code of Civil Procedure concerning distribution of estate; Stratton's 177, relating to interest charged by mutual building and loan associations; Seawell's 122, providing for the setting aside of judgments of a Superior Court; Seawell's 120, to legalize certain acknowledgments; Stratton's 310, for the protection of the homing pigeon; Withington's 158, to regulate sale of agricultural lands.

A STATE LIBRARY BILL.

Voorheis' 328, relating to the State Library, was read third time, but failed to pass. The present law provides that the Librarian may not be removed except by the vote of all the Trustees. Voorheis' bill amended it to read "by a majority of all the Trustees," but the Assembly voted against the amendment down.

FAILED TO RECONSIDER.

Caminetti's motion to reconsider the vote by which the printing bills 863 and 864 were passed was lost.

COMMITTEE REPORTS.

Judiciary—A. B. 198, withdrawn as a Senate bill is identical; A. C. A. 10, amended and recommended for adoption; A. B.'s 166, 170, 790 favorably reported.

Enrollment—451 and 11 sent to Governor; also 134, 453, 21 and 7.

Rules and Regulations—A list of twenty bills for special order Tuesday evening.

San Francisco Delegation—833 withdrawn and 885 substituted.

Attaches—Resolution that Mrs. Sue Porter Carpenter, daughter of General Carpenter, be appointed Assistant Janitress; favorably on motion of Dibble, unanimously adopted.

Municipal Corporations—A. B. 824, favorably; 705 referred to County and Township Government; A. B.'s 573 and 808, adversely; S. B.'s 443 and 441, favorably; A. B. 801, favorably as amended.

IRRIGATION BILL.

Bridgford's 739, a modification of the Wright Irrigation Act, was read third time and passed.

The Speaker asked leave of absence for the evening.

Jones' resolution that the Committee on Military Affairs be allowed a visit to San Francisco by invitation of General Warfield on February 22d was lost.

Bettman's resolution that a sub-committee of three each from the Committees on Public Buildings and Ways and Means be allowed to visit San Luis Obispo, Santa Clara, San Jose and Aguirre, was adopted.

Evening Session.

The attendance at the Assembly's last evening session was quite slim, and proved too slim for actual business, until a call of the House had brought in the absentees.

The special urgency file was the order of business, and Cutter offered a resolution that twenty of the bills should be made matters of special urgency, read second and third times and placed on final passage.

THE LION AND THE LAMB.

It was here that the call of the House occurred, and a list of a dozen or more names was given to Assistant Sergeant-at-Arms Lanning. Among those brought in were the two disputants of the morning session—Shanahan and Demery—the first of whom had been summoned from the theater and the latter from the Sutter Club. As they marched side by side up the aisle to the bar of the House, it was evident that the morning's antagonism had vanished and the lion and the lamb had gone together into the green fields of peace. They were loudly cheered.

The bills had been considered in Committee of the Whole, amended in a few cases, mostly technical, and reported back favorably to the House.

The following bills were passed: 827, amending the Political Code; 706, appropriating \$11,000 to furnish the office of the Clerk of the Supreme Court; 250, appropriating \$1,118 32 for expenses of funeral of late Lieutenant-Governor Millard; 282, for \$46 50 to pay claim of E. Lawrence; 288, for \$5,000 for deficiency for repairs to Capitol building; 244, for \$4,786 to pay "Examiner"; 679, relating to recording notices of mining claims; 769, relative to mining records; 386, relating to duties of Boards of Supervisors respecting roads.

Jones again offered a resolution providing that the Committee on Military Affairs should be allowed to visit San Francisco on February 22d to inspect the National Guard. It was lost.

THE SENATE'S WORK.

Up to date, eighty-eight bills have been passed by the Senate and transmitted to the Assembly. Being a matter of general interest, the title of those bills have been collected and are given below in their regular order, together with the names of the authors:

No. 1, by Andrews, to enable school districts in cities of the fifth class to issue bonds, and to repeal an Act to

enable cities of the fifth class to issue bonds for school purposes.