NEWSPAPER CLAIMS CUT.

(Continued from Third Page.)

The session started in with twenty-one members present, and throughout the evening there were that many, or less, members present.

In the hop-skip-and-jump tactics the following bills were considered:

S. B. 47, Nutt—To appropriate $100,000 for the improvement of the harbor of San Diego by the Board of State Harbor Commissioners for San Diego Bay; amended by special committee and ordered printed.

S. B. 210, Sims—To provide an adequate water supply for and to the California Home for the Care and Training of Feeble-Minded Children, to appropriate $25,000 therefor, and to authorize the expenditure of the same; read third time, amended by special committee and to print.

S. B. 330, Leavitt—Authorizing and directing the State Controller and State Treasurer to transfer from the Genera Fund to the Oakland Harbor Improvement Fund the sum of $250,000; substitute read and adopted.

S. B. 678, Wolfe—To amend an Act creating a Board of Bank Commissioners, and prescribing their duties and powers; read second time, amended and to printer.

S. B. 155, Boyce—To amend Section 1772 of the Code of Civil Procedure, relating to the powers of guardians in partition; passed, 25 to 0.

A. B. 353, Dibble—To amend an Act to appropriate money for the support of aged persons in indigent circumstances, residing in the Home of the Veterans' Home Association, providing for an increase in the annual appropriation thereof, and changing the time for the payment thereof, reducing the amount of such appropriation per capita, but increasing said appropriation in the aggregate; read third time, amended by special committee and ordered printed.

S. B. 360, Maggard—To amend an Act to provide for the letting of contracts for lighting of streets and public buildings in cities and towns; read second time.

S. B. 34, Braunhart—To establish a State Normal School in the City and County of San Francisco, State of California, and making an appropriation of $25,000; substitute read and adopted.

S. B. 284, Davis—To appropriate $1,000 for the purchase of tools and books for the use of the Preston School of Industry; amended and to printer.

S. B. 285, Davis—To appropriate $3,500 for the purchase of lumber and fencing material for the use of the Preston School of Industry; amended reducing appropriation to $2,500, and ordered printed.

S. B. 516, Taylor—To amend Section 1726 and Section 1732 of the Code of Civil Procedure, relating to the duties of Public Administrator; read second time.

S. B. 434, Burnett—Appropriating the sum of $5,000 for concrete work, tiling, and resetting steam pipes and heaters on the second floor of the State Capitol; read second time, amended and to third reading.

S. B. 547, Morehouse—Making an appropriation of $3,000 to pay the claim of J. E. Edson; read second time, amended to read $980, and ordered printed.

S. B. 586, Rowell—To add a new section to the Penal Code, relating to oil pipe-lines; read second time.

S. B. 491, Jones—To amend Section 433 of the Political Code, relating to the duties of the Controller; amended by special committee and ordered printed.

A. B. 611, Johnson—To repeal an Act to provide for the redemption of the funded indebtedness of the City of Sacramento; read second time.

S. B. 334, Braunhart—To provide for the assessment, levy, and collection of an income tax; substitute read and adopted.

A. B. 104, Dunlap—To regulate the granting of telephone and telegraph, street railroad and electric light, heat, and power, and other franchises, by the municipal authorities of incorporated cities, cities and counties, and towns and repealing conflicting Acts; read second time, amended and to print.

S. B. 397, Trout—To amend Section 1579 of the School Law of California; read second time.

S. B. 544, Doty—To create the office of State Game Warden, to provide for his appointment, term of office, and to prescribe his powers and duties, and to make an appropriation therefor; and to prescribe the punishment for a violation of the game laws of this State; read second time, amended and to print.

S. B. 262, Bettman—For the more effectual prevention of cruelty to animals; read and amended.

S. B. 658, Flint—To amend Section 1764 of the Code of Civil Procedure, relating to the appointment of guardians of insane and incompetent persons; read second time.

S. B. 510, Laird—To amend Section No. 337 of the Code of Civil Procedure, relating to the time within which certain actions must be commenced; read second time.

NEWSPAPER CLAIMS.

On motion of Dickinson the substitutes for newspaper claims, reported back by the Finance Committee Friday night, were ordered printed.

REGISTRATION BILL APPROVED.

A message was received from the Governor announcing his approval of Smith's registration bill, history number 49.

MULLAN RELIEF BILL VETOED.

The Governor also sent in without his approval S. B. 7, appropriating $45,616.30 for the relief of John Mullan, giving the following reasons for his action:

Sacramento, March 4, 1899.

To the Senate of the State of California: I herewith return to your honorable body, without my approval, Senate Bill No. 7, with my objections thereto.

This bill appropriates the sum of $45,616.30 out of any money in the State Treasury not otherwise appropriated for the relief of John Mullan, for alleged services in collecting from the United States the sum of $228,081.51, and authorizes the payment of the same, the Act itself to take effect January 1, 1900.

The greater amount of this claim arises out of supposed services as an alleged authorized agent of this State, in the collection of money due this State by the United States, from what is known as the "direct war tax" claims, under the Act of Congress approved August 5, 1861.

By this Act of Congress a direct tax of $20,000,000 was ordered to be annually laid upon the United States, and apportioned respectively to the several States. The amount apportioned to the State of California by said Act was $254,538.66⅔. For the purpose of collecting this tax authority was given the President of the United States to divide the different States and Territories, and the District of Columbia into convenient assessment districts, and assessors and collectors were directed to be appointed by the President, with the advice of the Senate, for the several districts. The said direct tax was assessed and laid on the value of all lands and lots of ground, with their improvements and dwelling houses, which several articles subject to taxation was enumerated and valued by the respective assessors at the rate each of them was worth in money on the 1st day of April, 1862. Property belonging to the United States and lots of the States, such as was exempted by the laws of the State wherein the property was situated, was exempted from the direct tax, and such property belonging to any individual actually residing thereon as was worth the sum of $500 dollars.

By the fifty-third section of the Act, any State or Territory was entitled to collect and pay into the United States Treasury its quota of the direct tax in its own way through its own officers, assessors and collectors; and upon so doing such State or Territory was entitled to a deduction of 15 per centum on the quota of direct tax apportioned to such State or Territory, with the proviso that such deduction should only apply to such part of the direct tax as was actually paid into the United States Treasury on or before the last day of June in the year to which such payment related, and a deduction of 10 per cent. to such part as should have been actually paid into the United States Treasury on or before the last day of September in the year to which the payment related, the year being regarded as commencing April 1st.

Under this Act of Congress, California availed herself of the provisions, collected through her own officers and paid into the Treasury of the United States the sum of $247,445.41, leaving a balance due the United States of $7,093.25.

By an Act of Congress approved June 27, 1882, the Secretary of the Treasury was authorized to examine and report to Congress the amount of all claims of certain States and Territories, including California, for money expended and indebtedness incurred in the suppression of Indian hostilities.

Thereafter, December 12, 1882, in reply to the application of John Mullan, Governor Perkins wrote to Mr. Mullan a letter, in substance directing him to act as State agent, and leaving the matter of his compensation to the discretion of the Legislature.

On March 3, 1883, Assembly Concurrent Resolution No. 20 was adopted, which is in the following language:

"Whereas, The Governor and State Surveyor General of this State have heretofore respectively appointed Captain John Mullan of San Francisco, Cal., agent and attorney to represent the interests of the State of California before the proper authorities of the United States, at Washington, D. C., in the matter of the claim of this State to the 5 per cent. net proceeds of the sales of the public lands by the United States in this State; and also in the matter of the direct tax levied upon this State by the United States, under the Act of Congress of August 6, 1861; and also of her claim arising during the Modoc war in 1872; and also under the provisions of the Act of Congress of June 27, 1882; therefore be it

"Resolved by the Assembly of California, the Senate concurring, That the appointments so conferred upon Captain John Mullan by the Governor and Surveyor General, respectively, are hereby ratified and confirmed, and the Governor of this State be, and he is hereby, authorized and directed to fix the compensation for the services of Captain John Mullan heretofore and that may be by him hereafter rendered, at 20 per cent. of each of the sums or claims that may be by him collected from the United States, and to pay to him such per cent. out of the moneys that may be collected by him and paid to this State on account of each of the foregoing matters respectively; provided, however, that this State shall not in any event become liable for any expenses, fees and salaries of any nature whatever, other than such contingent commission.

"Section 2. That the Controller of the State of California be, and he is hereby, authorized to deliver to Captain John Mullan, or to his authorized agent, all the original vouchers, certificates and papers of every kind and nature against the Government of the United States, for or on account of each of the foregoing matters, respectively.

"Section 3. That said Controller shall prepare and take from Captain John Mullan, or from his authorized agent, a receipt in writing, bound in a book, same as he keeps in his office for all such papers as aforesaid, and which shall show what the papers are in each case, the date thereof, by what Board of Examiners passed, the amount and date of the warrant, and in whose favor drawn."

By this concurrent resolution Mr. Mullan was authorized (if the resolution had been legal, which it was not) to receive 20 per cent. out of all moneys "collected by him and paid to the State."

Subsequently, by an Act of Congress approved July 7, 1884 (23 U. S. Stats. at Large, p. 229), $45,151.17 was appropriated to enable the Secretary of the Treasury to pay to the States of California, Oregon and Nevada, respectively, 15 per cent. of the amount of their quota of the direct tax of 1861, on account of the proper costs for assuming the collection of the same. It was adjudged by the United States Treasury Department that the amount due to the State of California from the United States for the fifteen per cent. rebate was the sum of $38,180.80, and to this was added the sum of $495.72 on account of the State's expenditures in the suppression of the Modoc hostilities—making a total due the State of $38,676.52. From this amount found due, there was deducted on September 13, 1884, the sum of $7,093.26, the balance of California's quota of the direct war tax remaining unpaid, and a Treasury warrant for the net sum of $31,583.26 was handed by the United States Treasury officers to Mr. Mullan as the agent of this State.

On the 29th day of September, 1884, Mr. Mullan handed said warrant to Governor Stoneman, who, without any legal authority, paid Mr. Mullan the sum of $7,735.30, an estimated commission upon the sum of $38,676.52, and not upon the sum of $31,583.26, the amount actually collected from the United States and paid to the State. This gave Mr. Mullan an excess in commissions over that specified in the legislative concurrent resolution of 1883 of $1,418.95.

The following is the receipt given by Mr. Mullan to Governor Stoneman:

"San Francisco, Sept. 29, 1884.

"Received of George Stoneman, Governor of the State of California, the sum of seven thousand, seven hundred and thirty-five and 30 ($7,735.30) dollars, being the 20 per cent. due me on the sum of thirty-eight thousand six hundred and seventy-six and 52 ($38,676.52) dollars collected by me for the State of California from the United States. Said sum of $7,735.30 being paid me by the Governor of the State under a resolution of the Legislature of the State of California, adopted March 3, 1883.

JOHN MULLAN,
"State Agent for California."

Memorandum:

Amount credited to State account January 6, 1883	$495 72
Amounted credited to State July 23, 1884	6,597 54
Amount of Treasury warrant September 13, 1884	31,583 26
	$38,676 52
Treasury warrant	31,583 26
Paid Mullan 20 per cent on $38,676.52	7,735 30
Paid in State Treasury	$23,847 96

Thereafter, under the alleged authority implied by the concurrent resolution of 1883, the appointment of Governor Perkins and the subsequent ratification by Governor Stoneman, Mr. Mullan continued to act as the agent of this State at Washington. On February 10, 1888, Governor Waterman addressed and mailed to Mr. Mullan the following letter, revoking all of Mr. Mullan's appointments and powers, a copy of which will be found in his message to the Legislature January 7, 1889, and is as follows:

"Executive Office,
"Sacramento, Feb. 10, 1888.

"Captain John D. Mullan, Washington, D. C: Referring to my telegrams of the 3d and 6th, respectively, and after due and careful consideration of the matters therein referred to, I am convinced that certain appointments as agent and attorney to represent the State in Washington, made to you by the Governor and State Surveyor General, and which you endeavored to have ratified and confirmed, with a commission of 20 per cent. fixed as your fee by concurrent resolution of March 3, 1883, and March 3, 1885, should be and are hereby most emphatically revoked.

This revocation applies specially to the appointment by Surveyor General Minis, November 1, 1878, in the matter of the 5 per cent. claim, aggregating nearly $1,000,000.

To the appointment of Governor George C. Perkins, December 12, 1882, in the matter of "direct tax of August 5, 1861, aggregating over $200,000"; also that of March 7, 1882, in the matter of the "Modoc war claim"; also that of July 12, 1882, being "claim for money expended and indebtedness assumed in repelling invasions and Indian hostilities," together with interest on the same; also claims under the provisions of the Act of Congress of June 27, 1882, known as the "rebellion claims," aggregating $2,938,623.

To the appointment of Governor George Stoneman, March 31, 1884, in the matter of "claims of the State of California growing out of Indian hostilities," and in the matter of all moneys that have been paid in or may be due by the State of California on account of Indian war claims, or Indian war bonds, or coupons issued by the State for the purpose of recovering from the United States the payment of the whole of these, together with the interest due on the same, aggregating several hundred thousand dollars.

To the appointment of Surveyor General Willey, October 24, 1883, and December 1, 1885, in the matter of "refunding certain fees" and "indemnity for certain swamp lands" therein mentioned.

The appointments above enumerated, when taken in connection with the appointments named and attempts to be confirmed in the concurrent resolutions of March 3, 1883, and March 3, 1885, are vague, indefinite and uncertain, and that there may be no mistake, I hereby revoke all appointments held by you from the Governor or State Surveyor General, of whatever kind or nature, or named in said concurrent resolutions.

R. W. WATERMAN, Governor.

Governor Waterman in the said message, after giving a resume of the appointment and services of Mr. Mullan, adds: "My action in revoking these appointments has been governed by a determination to save to the State the large sum of money attempted to be given to Captain John Mullan for alleged services, which are without a pretense of necessity, for the reason that the matter of these claims is one purely of legislation and for the favorable action of our Senators and members of Congress."

Notwithstanding this specific notice of the withdrawal by the Governor of Mr. Mullan's supposed authority to act for the State, Mr. Mullan chose to disregard this notice, and continued to act.

On March 2, 1891, an Act of Congress, originally introduced by Senator Morrill, was approved, which Act is entitled "An Act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by Act of Congress, approved August 5, 1861." As many of the Senators and Representatives had been unfavorably impressed by the activity of various claim agents representing several of the States, and doubts were raised as to the regularity of their several appointments, two provisions were inserted in the Act as conditions for the repayment of the sums paid by the several States, Territories and District of Columbia under the direct tax of 1861. These provisions are as follows:

"But no money shall be paid to any State or Territory until the Legislature thereof shall have accepted by resolution the sum herein appropriated, and the trusts imposed, in full satisfaction of all claims against the United States on account of the levy and collection of said tax, and shall have authorized the Governor to receive said money for the use and purpose aforesaid. * * * And further provided that no part of the money hereby appropriated shall be paid out by the Governor of any State or Territory, or any other person, to any attorney or agent under any contract for services now existing or heretofore made between the representative of any State or Territory and any attorney or agent."

Pursuant to the requirements of said Act of Congress of March 2, 1891, the Legislature of this State on March 25, 1891, adopted Senate concurrent resolution No. 9, accepting the conditions imposed by the said Act of Congress. Said resolution is as follows:

"Resolved by the Senate, the Assembly concurring, That the State of California does hereby accept the sum appropriated and the trust imposed by an Act of Congress entitled 'An Act to credit and pay to the several States and Territories and the District of Columbia all moneys collected under the direct tax levied by the Act of Congress, approved August 5th, A. D. 1861,' in full satisfaction of claims against the United States on account of the levy and collection of said tax, and does hereby authorize the Governor to receive the said money for the use and purposes aforesaid, and receipt therefor; and said money, when so received, shall be by the Governor paid into the State treasury and shall be credited to the general fund.

"Resolved, That his excellency, the Governor, be requested to furnish to the honorable, the Secretary of the Treasury of the United States a copy of these resolutions, duly certified and attested by the Secretary of State under the great seal of the State of California."

Thereafter, the acting Controller of the Treasury Department at Washington directed to Governor Markham a letter of date April 22, 1891, which is as follows:

"Sir: I have the honor to state that the account of the State of California for the refund of the direct war tax paid to the United States under Act of August 5, 1861, has been adjusted as follows, viz.:

Amount of direct war tax paid	$247,941 13
Amount refunded to the Governor of the State under Act of July 7, 1884	31,583 26
Leaving due to the State	$216,357 87
Amount suspended	8,110 98
Balance	$208,246 89

"The amount suspended, viz.: $8,110.98, is a charge standing on the books of the War Department against the State of California for arms overdrawn by the State under Section 1661 U. S. Rev. Statutes, prior to February 12, 1867.

"The said amount is withheld under the opinion of the Second Comptroller, pending the determination of the question as to the liability of the State for the value of the arms overdrawn. A draft for $208,246.89 will be remitted to you by the United States Treasurer. Please acknowledge the receipt of the draft to this office. Very respectfully, I. R. GARRISON,
"Acting Comptroller."

Thereafter on May 6, 1891, Governor Markham received direct from the United States Treasury Department a draft for the said sum of $208,246.89, and the same was deposited with the State Controller on May 7, 1891.

Thereafter on April 4, 1893, Governor Markham received direct from the United States Treasury Department a draft for the sum of $8,110.98, being the balance previously withheld, and said draft was on April 4, 1893, deposited with the Controller.

Inasmuch as Mr. Mullan now claims the credit and benefit of these collections under the concurrent resolution of 1883, the appointment of Governor Perkins and the ratification of Governor Stoneman, it becomes important to ascertain whether Mr. Mullan was ever legally appointed as such agent.

This question has been finally determined and adjudicated by the Supreme Court of this State in a suit by the claimant here against the State upon the same commissions for collecting moneys due the State on the direct war tax claims. The case is entitled John Mullan vs. the State of California, and is reported in volume 114 of the California reports, on page 578, et seq. The court there held that the action of the Governor and of the Legislature did not constitute the enactment of a "law" within the purview of the Constitution, and that these proceeding did not form a competent basis or a contract with the State. It was further held that a mere resolution of the Legislature could not supply the place of a law within the meaning of the Constitution; that the State was not bound by such actions on the part of the Governor and Legislature; that there was no estoppel against the State, and that a person "dealing with public officers is charged with the knowledge of and is bound at his peril to ascertain the extent of their powers to bind the State for which they seem to act, and if they exceed their authority the State is not bound thereby to any extent."

This decision upon the merits of Mr. Mullan's claims adjudges that his alleged contract to act for the State is wholly void.

In the face, therefore, of this decision of our highest tribunal upon the very foundation of Mr. Mullan's claims now presented, and further considering the conditions expressed in the Act of Congress of March 2, 1891, prohibiting the Governor of the State from paying any part of the money so received from the United States to any agent under any contract made between such agent and the representative of the State, I find that my duty compels me to manifest my disapproval of the bill which has received the sanction of your honorable body.

HENRY T. GAGE,
Governor of the State of California.

At 10 o'clock Boyce insisted on substituting one bill for another on the file, and as it was an interference of the "unanimous consent" order of business, objections were raised. The vote which followed developed the fact (which had been apparent most of the evening) that there was no quorum, and President pro tem. Flint declared the Senate adjourned.

IN THE ASSEMBLY.

Legislators Working Themselves to Death at the Last Minute.

After the regular opening of the Assembly leave of absence was granted to McDonald of Alameda and La Baree.

Thursday's journal was corrected and approved.

Following are the reports from

STANDLING COMMITTEES:

Cargill, for Public Health and Quarantine, reported adversely on McKeen's A. B. 36, amending the Act to regulate the practice of pharmacy.

Muenter, for Labor and Capital, made an adverse report on Conrey's A. B. 895, amending the Code of Civil Procedure, concerning mechanics' liens for work done and materials furnished.

Raub, for Corporations, reported back without recommendation O'Brien's A. B. 889, making transfer checks or tickets issued to any possenger on a street car transferable; Jilson's A. B. 922, requiring foreign insurance companies to give security for the payment of their policies of insurance; Burnett's A. B. 985, to pay the expenses of the Railroad Commissioners in conducting certain legislation.

De Lancie, for Education, reported favorably on Pierce's A. B. 937, to amend the Political Code relating to the school law of California; adversely on Hoey's A. B. 928, for the continuance of the San Francisco Normal School; and Caminetti's A. B. 753, providing for a Bureau of Child Study, was amended and reported back without recommendation.

Conrey, for Commissions and Public Expenditures, reported adversely on Raub's A. B. 466, to increase the membership of the Auditing Board to the Commissioner of Public Works, and E. D. Sullivan's A. B. 548, to regulate the practice of architecture.

Wade, for State Hospitals and Asylums, reported back Raub's A. B. 506, amending the Act establishing a State Lunacy Commission, that it do pass as amended.

NEW AMENDMENTS.

The Committee on Free Conference on Hoey's A. B. 366, limiting the hours of daily service of laborers on public works, reported that they had agreed upon an amendment to the title which should make it agree with an amendment to the bill which provides that nothing in the bill shall be so construed as to make the State or any political subdivision thereof liable for the penalties. Senators Taylor, Chapman and Leavitt and Assemblymen Hoey and Johnson. The amendments were adopted, and the bill ordered to print and final passage.

A NEW LAW.

The Governor communicated to the Assembly his approval of Stewart's A. B. 247, prohibiting the payment of money by the State to counties for the collection of taxes.

ON SPECIAL FILE.

Mead's Assembly Constitutional Amendment 13, relative to poll tax, was the first number on the file. Mead explained that it provides that any voter exercising the franchise at a general election shall be exempt from paying poll tax for two years succeeding. This, to a citizen who does his duty in the matter of voting, means a perpetual exemption from the poll tax which is left operative only upon Chinamen, unnaturalized citizens and citizens too lazy or too negligent to exercise the right of franchise.

The A. C. A. was adopted.

SOME DEBATE.

Mead's A. C. A. 19, proposing to amend the Constitution so as to exempt mortgages from taxation was not adopted without opposition. Mead explained that it was in the interest of the borrower; that where the lender paid a tax on the mortgage he inevitably made the rate to the borrower large enough not only to cover the tax, but, as tax rates are variable, enough larger to protect himself; that when the borrower paid his own property tax he then got net interest rate from the lender and saved money.

Wade strongly opposed the amendment. He said that no matter how well theory and reasoning might sound, the facts show that the tax on mortgages is in the interest of the borrower, especially the farmer. It was that clause which was mainly instrumental in the adoption of the new Constitution, and for more than ten years the working had been satisfactory, and rates of interest had steadily reduced.

Dibble supported the amendment, and was surprised to find a man in the State who was in favor of the law as it stands. He said its defects were well known and had become unbearable to borrowers.

It required a call of the House to get the requisite number, but the amendment was finally adopted.

FOR EARLY RISING.

E. D. Sullivan moved to amend Rule 1 of the Standing Rules by fixing the hour of convening in the morning at 9 o'clock instead of 9:30. Referred to Committee on Rules.

GOVERNOR'S VETOES.

All Governor's vetoes not yet had under consideration were grouped in a special order for 11 o'clock last evening.

Also, all newspaper claim bills were ordered for consideration during the evening.

RECESS.

The Senatorial ballot, followed by recess, occupied the hours between 12 m. and 2 p. m.

SENATE SPECIAL FILE.

Following is the business done on this file:

S. B. 72, Braunhart—To promote the safety of employes and passengers upon street railroads by compelling equipment of cars and dummies with fenders and brakes and to prescribe penalties.

This was the subject of further discussion fruitless of result and went over to unfinished business.

Committee substitute for S. B. 227, Laird—Making an appropriation to pay the unpaid claims for bounty on coyote scalps; read second time and amended.

S. B. 215, Hoey—For the relief of Julius A. Holt, a private in Company C, First Regiment Infantry, Second Brigade, N. G. C., for injuries sustained in active service; read second time.

S. B. 324, Curtin—Appropriating $5,000 to pay the claim of Addie McGinness; read second time and amended so that it shall take effect January 1, 1900. All appropriation bills were considered in committee of the whole and recommended to pass.

TO THIRD READING.

S. B. 440 (substitute for A. B. 947), Stratton—To repeal parts of the Civil Code, relating to negotiable instruments and enacting in place thereof a new title, with new provisions in relation to negotiable instruments.

S. B. 80, Morehouse—To add a new section to the Civil Code.

S. B. 68, Taylor—To amend the Act to provide for work upon streets, concerning changes in the grade of streets.

S. B. 206, Sims—To provide for the completion of the main building of the California Home for Feeble Minded Children.

S. B. 695 (substitute for A. B. 360), Pace—To amend the Act regulating the sale of lands uncovered by the recession or drainage of the waters of inland lakes.

S. B. 9, Curtin—To amend the Act in relation to foreign corporations.

S. B. 408, Taylor—To amend the Act to provide for work upon streets, lanes, alleys, courts, places and sidewalks, and for the construction of sewers within municipalities.

S. B. 27 (substitute for A. B. 732), Simpson—Amending the Civil Code, adding thereto three new sections, authorizing the purchase or lease by railroad corporations created under the laws of this State, or of any other State or Territory, or of the United States, which are now, or hereafter may be doing business as common carriers in this State, of any or all of the property and franchises owned, situated, held or used wholly or partially in this State by any railroad company created under the laws of this State, or of any other State or Territory of the United States, which is now or hereafter may be doing business as a common carrier in this State, and authorizing the sale or lease by any such corporation, as above mentioned, of any such property or franchises, or both, which it may own, use or hold, wholly or partially, in this State.

After a lively debate the above bill was re-referred to the Committee on Judiciary.

(Continued on Twelfth Page.)

Galatea Twills at 15c.

This beautiful material is intended for women's wash skirts, waists, boys' Summer suits and girls' dresses. It has a sort of French sateen finish, firm in texture, wears and washes beautifully and comes in some of the prettiest colors ever shown on any counter. French blue, navy blue, reds, pinks, sky blue and tan novelty stripes are plenteously seen in this collection. 15c yard.

Wash Percales, 12½c.

The largest assortment of fine percales, in a very large assortment of patterns can now be seen at our Domestic Department. Stripes, neat figures and polka dots suitable for every purpose for which good percales are used. This season's styles, 12½c yard.

New Pique Novelties.

There is a marked change in the cotton materials wanted for this season, and those in vogue last season. Here we are starting out with a most complete stock of the newest in wash fabrics, new materials, new colors and new designs. Stripes are better than figures. Dimity cords, piques, madras and novelty ginghams are the right things for this season. We are right up to date with the best the American and foreign markets afford. Prices 12½c, 15c and 25c.

Here Is the Picture of That Shoe.

Here is the picture of the Jenness Miller shoe for women. It doesn't begin to do it justice. Why it's a delight to even touch it—the kid is so soft and velvetlike. But the great feature of this shoe is its perfect fitting qualities and that it never cramps or crowds the foot. Scores of delighted women are wearing Jenness Miller shoes in Sacramento to-day. Ask any of them what they think about them. Two qualities, $3.50 and $5.

MONDAY, MARCH 5th.

SPECIAL DISPLAY OF EXCLUSIVE STYLES IN

TRIMMED HATS, $7.50.

In addition to a superb showing of Spring hats for women at prices from $5 to $15, we shall introduce an entirely new feature in the shape of a special line of new creations in copies of French hats. No two alike. This production will consist of styles in the leading shades of violet, fuchsia and dahlia. We have provided our well organized millinery workroom with every new material the French and American markets afford for this season.

Our millinery manufacturing room has been greatly enlarged and many other improvements made for the coming season. We have a larger force of expert trimmers and assistants than ever before, hence you can rely on finding here the best values. Many of our creations are superior to the French, and a much large variety to choose from than you can see elsewhere. Easter will be here very shortly, and it will pay you to inspect our Spring showing on Monday next.

SPECIAL DISPLAY TRIMMED HATS, **$7.50**

New Veilings.

We are showing some nice styles in new veilings in fancy meshes and also chenille dots. Especially in the fancy meshes will be found some neat and exceedingly attractive designs. Prices not too high (25c, 35c and 50c yard.)

Bird Cages, 50c.

All our cages are of the well known Hendryx make, being riveted all through and not soldered. A medium size cage with cups, perches and swing complete, 50c. Larger ones at 65c, 90c and $1.25.

Brass bird cages of the above good make 65c, 90c to $2.75.

We carry a full line of extra fittings for bird cages such as feed cups, bath tubs, cage brackets, nets, seed, gravel, etc.

Willow Wash Baskets.

These baskets are made of white willow, strongly woven, with two handles. They come in four sizes at 65c, 75c, 85c and $1.

Photograph Frames, 25c.

A dainty new design in a photograph frame, gilt metal border, lacquered to prevent tarnish. Price 25c.

Infants' Red Shoes, $1.

A new shipment of infants' kid shoes in tan or red at $1. Button style and in sizes 1 to 6.

Ingrain Carpets—an Exceptional Quality, 50c.

Many ingrain carpets at 50c have a cotton and wool filling and in reality are two-thirds cotton and one-third wool.

Here is a carpet in which the filling is all wool. It has a stout cotton warp, "108 ends" to the yard and comes in twenty handsome patterns. Price, sewed and laid, 50c yard.

Alex Smith & Sons' Velvet Carpets.

This well-known make of velvet carpets can be highly recommended. They are not lacking in appearance; soft high pile woven into the back of carpet so that it cannot be pulled or swept out. The colors are as nearly sun fast as can be. Easy to sweep and very serviceable in wear. Borders to match.

Our price, sewed and laid, $1.

New Ribbons for Spring.

This will be a season for ribbon trimmings and we have made preparations accordingly.

A great assortment of ribbons in checks, fancy stripes, plain colors and some with one, two, three and six rows of draw strings at 6c, 9c, 10c and 12½c yard. The widths range from ¾ to 1¼ inches.

Taffeta ribbons in all the leading shades, 2¾ inches wide, 15c; 3¼ inches wide, 19c; 4 inches wide, 21c yard.

The new fuchsia shades in satin and gros grain ribbons are also shown and will be largely used this season for trimming as well as for millinery.

Moire ribbon in the narrow widths are also popular. All the leading shades, 1½ inch, 9c; 2¼ inch, 12½c; 3 inch, 19c; 4 inch, 21c yard.

The Coming Summer Shirt for Men.

An entirely new idea in men's shirts, and it is strange no one thought of it before, is here. White muslin shirts, with soft silk bosoms set in. To be worn with white linen collar and cuffs. The silk is washable and in handsome stripes.

It makes the very handsomest Summer shirt that a man can wear and the price is not $2 or $3, but $1.

They haven't been here one day yet, and still sales have already been large.

Bicycle Sweaters—C. C. W. Emblems, Etc.

The bicycle season has opened again and we show a large stock of sweaters. If we haven't just the combination of colors that you desire, will make to order.

Regulation C. C. W. sweaters, made to order of fine woolen yarn, $3.75. Silk monogram emblem 75c; small size for caps 35c.

Men's Fedora Hats, $1.50.

Men's indented crown soft hats, Fedora style, in

Black, Tan,
Brown, Gray,
Pearl with black band.

A surprisingly good quality for the money at $1.50.

A Statement to the Point.

We have been in the clothing business at Fourth and K streets for nearly a quarter of a century. That is long enough to know it thoroughly, and we believe that we do. We have far more money invested in clothing than anyone else hereabouts. We have many more goods, many more styles, much more complete lists of sizes than possible in any stock smaller than this. We buy from the largest and most successful makers in the country, and we never sell a dollar's worth without getting the cash in hand.

These are some of the reasons why, if you want the best satisfaction in clothing, you will at least see what is here before buying elsewhere.

Weinstock, Lubin & Co.; 400 and 412 K Street, Sacramento.

House-cleaning season

Just now it is timely to remind that we do all kinds of furniture repairing and upholstering. We do this work well and do it at reasonably low prices.

Chas. M. Campbell,
411 AND 413 K ST.

WHOLESALE LIQUORS.

CRONAN & WISSEMAN,
230 K Street and 1108-1110 Third Street, Sacramento, Cal.,
IMPORTERS AND WHOLESALE DEALERS in Fine Whiskies, Brandies and Champagne.

EBNER BROS. COMPANY,
116-118 K Street, Front and Second, Sacramento.
IMPORTERS AND WHOLESALE dealers in Wines and Liquors. Tel. 364.

HUGH CASEY, Importer and Wholesaler in Foreign and Domestic Wines and Liquors. Proprietor of Eagle Soda Works, 212 K street, Sacramento.

LIQUORS, WINE, BEER, ETC.

Lafayette Hall 316 K St. Sacramento
Celebrated for its steam and lager beer. Billiards and pool free. Club rooms open day and night. White Labor Cigars.

THOS. E. KENNEDY & CO.
(Successors to Jim & Harry),
Imported and Domestic Wines, Liquors and Cigars,
1009 THIRD STREET.

Go to the GOLDEN GATE, 330 K Street
FOR FINE WINES, LIQUORS AND Cigars. Steam and Lager on draught.
CHAS. KEIPER, Proprietor.

GRUHLER'S 522 J Street, Steam and lager beer on draught. Colonial whisky. GUS CAMPE, Proprietor.

PALISADE SALOON,
221 K Street.
HARLAN BROS.....Proprietors
Western Hotel Building.

PORTLAND BEER
AT BAUER & KOENECKE, SUCCESSORS to Wisseman's Saloon, 1020 Fourth street, J and K.

GAMBRINUS' HALL 620 K street, MILLER & BUERGI, Props. Finest Wines, Liquors and Cigars; Steam and Lager as it should be, 5c. A good Lunch always to be found.

FOR FINE TAILORING
PERFECT FIT, BEST OF WORKMANSHIP, at
25 per cent Less than Other Tailors Charge, Go to
JOE POHEIM
All Wool Suits to Order from $12 to $35
Pants from . . . $4 to $10
603 and 605 K St.,
SACRAMENTO.
1110 and 1112 Market St. - San Francisco.