SENATE INVESTIGATION BECOMES ALMOST A FARCE BECAUSE OF THE EFFORTS OF THE DEFENDANTS TO IMPEACH THE CHARACTERS OF THE DETECTIVES

WITNESSES WHO BELITTLE SLEUTHS ARE SHOWN TO BE PREJUDICED.

Gould and Cator Indulge in a Wordy War

Attorneys Wax Angry During Investigation and Chairman Belshaw Is Compelled to Demand a Cessation of Hostilities.

Special Dispatch to The Call.

SACRAMENTO, Feb. 7.—The effort of the attorneys representing Senators Emmons, Bunkers, French and Wright to discredit the testimony of Detectives Tichenor and Hartling is becoming farcical. They produced another batch of witnesses to-night in an effort to prove that the detectives named are not worthy of belief, but in each instance the witnesses were proved to be biased through connection with either the section 26 shooting affray or the swamp lands case, both Bakersfield productions, or through hearing the same discussed.

The belligerency of opposing counsel is becoming more marked with each session and to-night the lie came so near being passed that for a moment there was grave danger of a clash between Frank H. Gould for the prosecution and Thomas V. Cator for the defense. Gould drove his questions on cross-examination with a rapidity that ofttimes called for a protest from Cator, who demanded that the witnesses be given all the time they required to answer questions. Gould admitted that he was often in a hurry to get in another question, but said it was the preoccupation that overcame him in the heat of battle that was responsible for his haste.

Things were going along well after this until Cator suddenly conceived the idea that Gould had again cut off an answer a witness was about to make and said:

"Let the witness answer the question right through."

"I thought the witness was through," said Gould.

"You know very well he did not think he was through," retorted Cator.

"Don't you dare to accuse me again," said Gould jumping to his feet. Cator did not rise and before the controversy could proceed further Chairman Belshaw warned the attorneys to cease their quarrel.

"I had not spoken," said Gould, "when Cator made a remark that I could not permit to go unchallenged."

Cator made no reply, but throughout the session each watched for the opportunity to hurl home a verbal shaft.

Joseph S. Jordan was not called to the stand to-night, it being the desire of the committee to permit the defense to put on its remaining character witnesses. It was announced, however, that Jordan would go on without fail to-morrow night at 8 o'clock. Jordan will have an interesting story to tell. After this announcement the character witness on behalf of the defense were called.

Attorney Frank R. Wehe of Berkeley testified that he knew Detective Hartling in Downieville and that he bore a good reputation. Wehe was District Attorney of Sierra County for a number of years. It was during his residence in Downieville that the Aroni murder case was tried. It was testified by B. F. Littlejohn, a character witness called by the defense, that during this trial Detective Hartling swore falsely and was impeached. Wehe, however, disproved this by recalling the record and also establishing the fact that Littlejohn's testimony in this investigation was not in keeping with the facts in the case.

W. H. Daley, a San Francisco bookkeeper, testified that Hartling's reputation was bad, but he went to pieces under cross-examination and the nearest he could get to the question was that seven years ago he heard some people at Johnny Herget's ("Young Mitchell's") saloon in San Francisco say Hartling was "a bad one," and that since the present scandal broke he had heard the same view expressed by one Kelly, a tin roofer, and by others he did not know "in twenty saloons in San Francisco." His apparent bias and effort to side-step the cross-questions of McNab furnished boundless amusement for the audience.

Dr. A. F. Schaffer, County Physician of Kern County, said Tichenor's reputation was bad. He admitted, however, that he was one of the men that was engaged in a gun fight for the possession of section 26, near Bakersfield, and was arrested for participation in the affair.

"Was not Senator Emmon's assistant prosecutor in that case," asked Attorney Gould.

"Yes, he was," answered the witness.

"Did you not go privately to Senator Emmons and ask him to dismiss the case against you and offer to turn State's evidence?"

"No, I did not. I went to him privately and told him I did not want to be dismissed. That if I was dismissed I would go on the stand and testify just the same as though I had not been dismissed."

FRIEND OF EMMONS.

"You have admitted here to-night that you were with the crowd that went out to section 26, and have admitted that you were among those that shot at the men that fell seriously wounded. Did you not deny for months after the shooting that you were not among those that did the shooting and did you not offer your services as a physician to the wounded after they had been shot."

"Yes, I guess that's right. I did deny that I shot at the men at the time and I did offer to aid the wounded."

"Whom did you shoot at?"

"I shot at Cornell and Walker. They were shooting at me and I had the right to defend myself."

"What do you know of Tichenor? To your knowledge did he return true and correct reports of the shooting affair to his employers?"

"Yes, he did return true reports to his employers."

"Then why do you say you would not believe him under oath?"

"I wouldn't believe any detective under oath. I think the ethical centers of their minds are peculiar."

"But the report he made of the shooting affair was absolutely correct."

"Yes, it was correct."

These answers on the part of the witness are strongly in favor of the case of the prosecution as they go to establish that Tichenor is reliable in his professional work and this is all the prosecution wishes to establish.

In conclusion the witness was forced to admit that he had known Senator Emmons intimately for twelve years and that he is friendly with him in every way.

E. Rosseau, an attorney of Bakersfield, said he wouldn't believe Hartling under oath, this state of mind being the result of hearing his character discussed by swamp land squatters that lost their holdings in an action at law. Hartling was in the employ of the successful litigants.

DISLIKES TICHENOR.

J. W. Briscoe, an oil man of Bakersfield, also testified he would not believe Tichenor under oath, his opinion being based on the opinions of men that were proceeded against by Tichenor after the section 26 affair.

E. J. Bousto of Fresno testified he would not believe Tichenor under oath, but admitted that Tichenor sought to force a confession from him that he was mixed up in the section 26 affair, but he refused to confess. He thought that Tichenor's acts did not treat him right, although Cornell, one of the men shot, accused Bousto of being in the crowd that shot him. Bousto further testified that Tichenor's acts prejudiced him against the detective. The witness admitted that he was arrested twice for the offense, but was dismissed through lack of evidence. Bousto created a laugh by saying he did not believe Tichenor was a detective, but a hawkshaw. He further admitted that he had trouble with the Continental Building and Loan Association, having borrowed $1800 from the Continental on a piece of property worth, he admitted, only $600 and that he only paid up to avoid the trouble of a lawsuit. Bousto was rambling ahead, going into the ins and outs of the entire affair, when Gould suddenly interrupted him and said:

"Oh, you're the man that Sam Dunlap whipped for getting full and giving the whole section 26 affair away?"

"No, sir," protested the witness. "I licked Dunlap myself. I was not drunk that night. When I get drunk I ain't afraid to say so. I get drunk and buy wine myself."

As the committee was not anxious to hear the entire story of Bousto's wild times in life, his further services as character witness for the defense were dispensed with.

FEW MORE WITNESSES.

The names of W. A. McKenzie and Mathew Smith were called by Cator after the funny man from Fresno had left the stand, but neither answered. The attorney was asked what other witnesses he had.

"We are through as far as I know," he said, "excepting as to those from Downieville."

"When do you expect them here?" asked Chairman Belshaw.

Sergeant at Arms Martin answered that these witnesses were due in Sacramento at 10 o'clock to-morrow morning.

The representatives of Corbin said they had no witnesses here that they wished to call, excepting Superintendent Beede of the Postal Telegraph Company, who has a telegram that passed during the time it is alleged Tichenor was putting the money into the hands of Jordan. Beede did not answer to his name.

"If these witnesses from Downieville do not get here by to-morrow night I suppose we will close the case," said Cator.

"You said you wanted Corbin here to-morrow night, did you not?" asked Belshaw.

"It was Copeland who wanted to ask him some more questions," was the reply.

The chairman said that Corbin would be present. He also spoke a warning to witnesses who may not answer their names when called, saying that it would be the unpleasant duty of the committee to have them called before the bar of the Senate for contempt.

The hearing went over until 8 o'clock to-morrow night. If the defense finishes early with the remainder of its character witnesses, Corbin's side may introduce some testimony in rebuttal.

DEFEND TORRANCE.

San Diego Lawyers Tell of Jurist's Good Points.

SAN DIEGO, Feb. 7.—The Assembly committee that is inquiring into the charges against Judge E. S. Torrance of this city concluded its labors, so far as the taking of testimony in San Diego is concerned, at a late hour to-night. The day was almost entirely occupied by the defense, only one or two witnesses being called by the prosecution.

A. H. Sweet, president of the San Diego Bar Association, was called and testified along similar lines as the witnesses for the defense called yesterday. He had never known of Judge Torrance being on the bench while under the influence of liquor and did not believe that Judge Torrance's judicial abilities had been impaired.

Walter S. Buchanan testified that he had seen Judge Torrance the morning of January 16, 1905. The witness stated that he did not believe Judge Torrance was intoxicated. Frank A. Salmons and Mrs. Thresher testified the same as the preceding witnesses.

Judge Torrance took the stand in his own behalf. He denied that he had drunk any liquor on July 31, the date on which a witness testified that the Judge appeared to be intoxicated. He denied that he had ever engaged in a boxing bout in a saloon, but said he recalled an occasion when in a jocular way he attempted to knock off a friend's hat. Judge Torrance also denied that he had used language derogatory to the Christian church, although he recalled expressing his opinion about hypocrites in the church who had been active against himself.

BEFORE GRAND JURY.

Sacramento Inquisitorial Body Investigating Scandal.

SACRAMENTO, Feb. 7.—The charge of bribe-taking preferred against Senators Emmons, Wright, Bunkers and French of the State Legislature was under investigation to-day by the Grand Jury of Sacramento County. The entire day was spent by the jurors in examining the witnesses who were called by the investigating committee of the Senate to substantiate the charges preferred in the affidavit filed by William Corbin.

This morning Clarence Grange, the secretary of a San Francisco building and loan association, who declared that he raised the money that is said to have been passed to the Senators through Joseph S. Jordan, was closely questioned. Attorney Gavin McNab has been called to tell what he knows of the allegations of bribery and this afternoon Henry Hartling and George Tichenor, the detectives who swore they laid the trap for Jordan and the Senators, were called to reiterate their story to the effect that they saw the money given by Jordan to Senators Emmons and Bunkers.

The greatest secrecy is being maintained regarding the investigation into the bribery scandal, and it has not been learned who has been subpoenaed on behalf of the defense. It is expected, however, that the accused Senators will be called before the Grand Jury before the investigations are concluded.

B. U. Steinman is foreman of the Sacramento County Grand Jury, which is composed of the following: G. E. Hook, Charles Baumgartel, William Calder, Carl Matthison, George Phillips, Henry A. Mohr, Herman Fisher, P. M. Rooney, L. F. Breuner, Alexander McDonald, D. H. Miller, F. H. Krebs, W. R. Gore, Julius Gattman, George G. Locke, William Schaw, D. Gillis, Peter Flaherty.

It is said to-night that the District Attorney has recovered one of the marked bills that was passed here in a house of ill-repute and that he has established the fact that one of the accused lost $250 the night of the consummation of the alleged bribery in a poker game in one of the prominent hotels of this city.

WOLFE SCENTS FIGHT.

Senator Aroused by Opposition to Civil Service Amendment.

SACRAMENTO, Feb. 7.—In the action of the San Francisco delegation reporting against Wolfe's proposed constitutional amendment guaranteeing the right of trial to every civil service employe of San Francisco whom it is sought to remove from office, the author of the bill sees opposition to civil service per se.

"This is simply a plain, open move against civil service," said Wolfe this morning, "but it will avail the opponents little. I am confident the proposed amendment will pass the Legislature and be ratified by the people. It is a well known fact that many people that want free rein in the patronage question are opposed to civil service per se and among these are the San Francisco Senators that voted in committee against the measure.

"It is a well known fact that in two cases the Supreme Court has plainly held that the section of the charter guaranteeing the right of trial to municipal employes is contrary to the constitution as it now stands and that my amendment is essential if the institution of civil service is to be safeguarded. It must be safeguarded or it will fall, and I am sure a majority of the Legislature will share my views."

DEEDS AND MORTGAGES.

Laws Governing Redemption of Property Subject of Legislation.

SACRAMENTO, Feb. 7.—The present Legislature probably will make two radical changes in the law covering trust deeds and mortgages. A bill has been introduced by Espey of Alameda providing for the redemption of property given under a trust deed, the same as mortgaged property is redeemed. At present there is no redemption of property conveyed under a trust deed.

A bill is to be introduced reducing the time of redemption of property sold under mortgage from one year to six months. It is claimed that at present the property is held during the period of redemption at the risk of the mortgagee, as the mortgagor will redeem if the property rises in value and then the mortgagee will lose if it depreciates. Another objection to the year limit is that in many cases it prevents the mortgagor making in time improvements that may mean much for the future of the property.

POOL SELLING BILL.

New Measure Is Introduced by Assemblyman Duryea.

SACRAMENTO, Feb. 7.—Within a few days the Assembly will be considering a bill prohibiting the selling of pools on horse races and it will not be the one the Committee on Public Morals of that house had referred to it. Duryea of Placer, chairman of the Judiciary Committee, introduced such a bill to-day and it was promptly referred to his committee, it being the intention, it is said, to report it back immediately with a recommendation that it pass.

Duryea's bill fixes the penalty for the violation of its provisions at a fine of not less than $2000 nor more than $5000 or imprisonment for not less than one year nor more than five years. The period from September 1 to September 30 is left open so that the State and district fairs may not be affected.

NEW CLERKS NAMED.

Chief Clerk Lloyd Obtains Services of Two Expert Engrossers.

SACRAMENTO, Feb. 7.—The Republican members of the Assembly held a caucus this afternoon to hear some suggestions from Chief Clerk Lloyd on how to facilitate legislation. There has been some trouble in regard to the engrossment of bills. Two serious errors have been made, bills being sent back as correctly engrossed without the amendments being included.

At the afternoon session of the Assembly Chief Clerk Lloyd was authorized to employ two expert clerks. He will send for C. S. McMullen of Oakland and L. F. Stinson of Grass Valley, two experienced desk and engrossing men.

TO SELL TO CITY.—Congregation Emanu-El and the Eureka Benevolent Association, owners of Mission block No. 86, bounded by Eighteenth, Nineteenth, Dolores and Church streets, yesterday petitioned the Superior Court for permission to sell the property to the city for $151,350. The block is to become a part of the new Mission Park.

DECLARE GATES IS A BUSYBODY

Scalp of Secretary Is Sought

STATE OFFICIAL WHOSE POLITICAL HEAD IS WANTED BY MEMBERS OF THE LEGISLATURE.

Special Dispatch to The Call.

SACRAMENTO, Feb. 7.—W. Almont Gates, secretary of the State Board of Charities and Corrections, has destroyed his usefulness as a public servant in the opinion of the Senate committee appointed to investigate various institutions of the State. This committee—composed of Woodward, chairman; Muenter, Haskins, Sanford, Coggins and McKee—recommends that Gates be dismissed from office forthwith. It was the intention of the committee to recommend to the Senate that if the Board of Charities refuses to consent to his dismissal the Senate hereafter deny any appropriation for the payment of his salary, but this recommendation was stricken from the report after the opinion was reached that the board would doubtless acquiesce in the views of the committee and that an implied threat in the report was unnecessary. Regarding Gates the committee says:

While possibly it may not be within the province of the committee, the committee cannot refrain from commenting on the executive officer and secretary of the State Board of Charities.

From information that has come to this committee we conclude that the members of the State Board of Charities are all most estimable gentlemen having at heart the welfare and upbuilding of the State institutions under their supervision. If any criticism can be made it is that they have placed too much authority in the hands of their secretary, who, in the judgment of this committee, misconceives his duties. He has apparently assumed the role of a Hawkshaw or Pinkerton detective and seems to feel that it is his duty to ferret out all little errors of judgment or delinquencies of the management of the various institutions to which he has access and hold the management of these institutions up to public criticism and condemnation not deserved, instead of kindly pointing out these errors and showing the managers how they can be improved upon and corrected. His methods have been such that he has aroused a spirit of resentment and rebellion, so to speak, in these institutions against his methods and created such hostility that this committee is of the opinion that his usefulness as a State officer is at an end and his future services should be dispensed with.

COMMITTEE'S REPORT.

This committee, which left Sacramento on its tour of inspection on January 26, returning on the 1st inst., visited the State School at Whittier, the Normal School at Los Angeles, the State Hospital at Patton, the Normal School and Quarantine Station at San Diego, the Polytechnic School at San Luis Obispo, the State Hospital at Agnews and the Normal School at San Jose. Regarding these institutions the committee reported in part as follows:

Your committee visited the Normal School at Los Angeles, Cal., and made a careful inspection of the building and grounds. We found the building in a bad condition and hardly suitable for the purposes intended. As a business proposition it would not pay the State to go to the expense of putting the building in proper condition. The present site is near the center of town and could be sold for a sufficient sum to build a modern up-to-date building. We would therefore recommend that a new site be secured and that the present one be sold and the money from the sale of the same be used in erecting a new building upon a different site. As it would take some time to erect a new building, a small amount of money should be appropriated to repair the roof and floor to make said old building tenantable until the new structure is ready for occupancy.

The inspection of the Whittier School was a pleasant and agreeable surprise. We found the grounds and buildings in good order, the discipline all that could be wished for and a most kindly feeling existing between the inmates and superintendent, who exercises a wholesome and moral supervision over both girls and boys. The recommendation of the superintendent that the sum of $900 be appropriated to furnish the girls' cottage, known as Cottage "B," is, in the judgment of the committee, of the greatest necessity. The committee also recommends an appropriation of $8000 for additional and correction of the present plumbing in the main buildings; also the sum of $5000 for the construction of a reservoir to store the water now available from the pumping plant.

We found the San Diego Normal School one of the best arranged school buildings in the State and suitable in every way for the work intended. The grounds should be fenced and improved; an appropriation of $5000 being ample to begin with. The sewerage is bad and sufficient money should be appropriated to properly connect the building with the city sewer system.

Your committee arrived at the Southern State Hospital, located near Patton station, in San Bernardino County, on Sunday, January 29, 1905, at 4 p. m., and at this time desires to express its gratification and to commend the work of this particular institution and to especially comment upon the businesslike ability of its superintendent as demonstrated by him to this committee.

ENLARGE ASYLUMS.

The asylum at the time of our visit contained a total of 899 patients. Of this number 577 were males and 322 females. Your committee found a large number of patients sleeping in the corridors and hallways, and that there are enough of these unfortunates to fill a new ward building as soon as completed. The completion of one additional wing would therefore leave the hospital in a much better condition and add much to the comfort of its inmates. Therefore your committee recommends that Senate bill 464, introduced by Senator Leeke, providing for the building, equipping and furnishing of a wing to said institution, making an appropriation of $65,000 therefor, do pass, and be approved by his excellency, the Hon. George C. Pardee, the Governor of the State of California.

The San Luis Obispo Polytechnic School was opened to pupils last July and as the State is thus committed to this policy the only thing to do is to erect the other buildings necessary to carry on this line of work properly.

The buildings and grounds of the San Jose Normal School are in good condition. The building is crowded for room and it would seem economy in the long run to erect a library building and gymnasium, the basement to be used for a gymnasium and the upper part for library purposes.

Your committee visited the State Hospital at Agnews on February 1, 1905, and after an inspection of this institution commends the work of the management of this institution and especially commends the expenditure of money from the contingent fund for the erection of cottages, and further commends to similar institutions in this State to follow this institution in the erection of cottages such as the one now just completed at this institution.

The asylum at the time of our visit contained 1070 patients, and we found that by the erection of cottages as hereinbefore mentioned, these patients are all well cared for.

After recommending that the various institutions be allowed the full sums of their estimates for the maintenance of the same the committee, in conclusion, says:

Your committee desires to call attention to the fact that the practice by the Senate of sending upon tours of investigation committees consisting of two or three members from each of the several committees, who, will later have the various subjects affected in charge, appears to us to be most desirable, both as a measure of economy to the State as well as when viewed in the light of the results generally desired to be accomplished. It appears to us eminently proper that the members of this Senate, especially the particular committees having in charge the matters treated in this report, should be able to judge of the necessities of the various institutions of the State desiring aid, financial or otherwise, at the hands of this Senate, and it appears to us that this information can only be obtained at first hand through the means of personal observation.

WOULD ABOLISH BOARD.

Assemblyman Atkinson introduced a resolution in the lower house today providing for the framing by the Committee on Commissions and Public Expenditures of a bill abolishing the State Board of Charities and Corrections.

The resolution brought to light the fact that there has been some unpleasant feeling engendered between the board referred to and the Assemblymen who have visited the institutions under its control. In his resolution Atkinson quotes an article from a Los Angeles paper which tells of the Assembly Committee on State Charities and Corrections going "down to Whittier" from Los Angeles to inspect the State institution there, it being the third Assembly committee to make the trip, and adding:

"It is said outside the charmed circle that the legislators are assuming the powers of meddling in the appointment of a new superintendent for Whittier. This will be resented by the board of trustees. One thing that is apparent is that these committees do not agree unanimously with the State Board of Charities and Corrections, and it is reported that the members of the board even refused to go into conference with a legislative committee because the statesmen had but a hazy idea of why they had come to the southland, except for a good time."

Atkinson's resolution, after quoting this article, goes on to say that whereas the Board of Charities and Corrections is a creature of the Legislature, trusted at the expense of the taxpayers with the duties of enlightening said Legislature on public service and the various institutions under its control, and that whereas the "insulting statements" in the article referred to show that the board is forgetting the consideration due the Legislature and its duty, the bill asked for be prepared by the committee designated.

A motion by Houser of Los Angeles to lay the resolution on the table was defeated and it was referred to the committee suggested.

KATE READ LOSES.—Kate Read's effort to obtain $10,000 damages from M. Friedman & Co. because a folding bed which she purchased from the concern kicked up and bruised her on the throat did not impress the jury in Judge Graham's court, and after fifteen minutes' deliberation yesterday afternoon a verdict was returned for the defendant.

IRISH NOW KNOWS WHAT A "CINCH" IS

Senator's Misuse of Word Is Cause of an Uproar.

Special Dispatch to The Call.

SACRAMENTO, Feb. 7.—Lack of understanding of the meaning of the term "cinch" bill on the part of Senator John B. Irish precipitated a warm debate in the upper house this morning and ended in Senator Irish withdrawing a statement that reflected seriously on Senator Howard A. Broughton of Pomona. Broughton's bill authorizing the destruction of liquors involved in a violation of State, county or municipal laws or regulations, so strongly opposed by Keane last week, was up for final passage.

Irish led the opposition in to-day's fight and had not proceeded long in his debate when he characterized the measure as a "cinch" bill. The ire of the author of the bill and its supporters was immediately raised and they demanded of Irish an answer as to whether he knew what he was saying; if he knew what a "cinch" bill was commonly supposed to be.

Hohn rose and said that it was the common understanding that a "cinch" bill was a measure framed for the purpose of blackmail; one that its author had no idea of passing, but simply introduced it to give weight to his demand that his silence be purchased with gold.

Irish listened to this definition with astonishment plainly written on his face, but before he could answer other Senators corroborated Hahn's views, and then Irish said.

"My idea of a 'cinch' bill was entirely different from the one here given. This word is new to me and I believed a 'cinch' bill was one authorizing the destruction of property or favoring a certain section against the whole people. I had no idea whatever of reflecting on Senator Broughton or any of those that support his measure and standing corrected I wish to withdraw my statement."

A motion was made that the bill be referred to a special committee of one for amendment, to retain its place on the file, but Shortridge, who is also opposed to the measure, said:

"Let us take up this measure now and kill it off. It is not a bill we want on the statute books. No delay here is necessary. Let us take a vote and end its career."

But Shortridge was overruled and the bill was referred to committee for amendment in minor particulars, after which it will again come up in regular order.

Two bills by Carter, one relating to how funds may be invested by insurance companies, the other to the holding, purchase and conveyance of real estate by life insurance companies, were passed and sent to the Assembly. The balance of the morning session was taken up with a discussion of Welch's bill relating to the refunding of taxes illegally or erroneously collected or paid more than once. Discussion on the bill was not concluded and it went over, retaining its place on the file.

The Senate was informed this morning that the Governor had signed the measures appropriating $70,000 for the installation of an exhibit at the Lewis and Clark Exposition in Portland and authorizing the Federal Government to lower the levels of Klamath, Tule, Goose and Clear lakes in Siskiyou and Modoc counties in furtherance of its reclamation and irrigation work.

A bill was introduced this afternoon by Lukens increasing the salary of the secretary of the Bank Commission from $200 to $300 a month, and vesting that official with added functions. The bill, if passed, will authorize the secretary to administer oaths and examine into the affairs of any institution he may be directed to investigate, his report to be the basis of subsequent action by the commission.

Senator Lukens also introduced a proposed constitutional amendment that if passed and ratified by the people will mean the end of bucket shops and other institutions dealing in margins or lotteries of any kind.

Senator Ward introduced a bill amending the present compulsory vaccination law, the only changes being that "good and reliable" vaccine be procured by trustees for the vaccination of children whose parents are peculiarly or otherwise unable to procure vaccination for such child, and that children whose health would render their vaccination a dangerous operation be excluded from the provisions of the act.

Leavitt's anti-compulsory vaccination bill came up on reconsideration in the Senate this afternoon and was passed and sent to the Assembly.

DEFEAT SEEMS CERTAIN.

Amendment Changing Method of Electing Senators Not Liked.

SACRAMENTO, Feb. 7. — Sanford's proposed constitutional amendment providing for the election of United States Senators by direct vote of the people is doomed to defeat. A caucus of the Republican members called by Wolfe to consider the measure discussed it at length and then called for a vote. Nineteen members voted against the measure. When the absentees are gathered in it is certain that the amendment will be defeated by a majority that will leave no hope of a different result on reconsideration. The Republicans hold that the present manner of election best safeguards the office, and is a conservative method that cannot be improved.

BOY DROWNED IN POOL BUT SIX INCHES DEEP

Two-Year-Old Child of Reno Meets Death in Sight of His Father.

RENO, Nev., Feb. 7.—The two-year-old son of Emelio Demilli of Loyalton, Cal., while playing in a field fell into a pool of water six inches deep and was drowned to-day. The child's father witnessed the accident.

Prince Eitel Much Better.

BERLIN, Feb. 7.—Prince Eitel Frederich has so far recovered from his attack of pneumonia that his physicians have announced to-day that no further bulletins would be issued.

ASSEMBLYMEN ALMOST LOSE PART OF PAY

Speaker's Vote Saves Pockets of the Absentees.

Special Dispatch to The Call.

SACRAMENTO, Feb. 7.—Drew of Fresno resumed his effort in the Assembly this morning to have the members who may absent themselves without leave deprived of their salaries for the time they are away. He gained some ground, though his resolution was again beaten. The vote was 28 to 28 and the ballot of the Speaker decided the fate of the resolution.

A protest from the County Medical Society of Shasta County against the passage of Assembly bill 267, making changes in the State Board of Medical Examiners so that eclectics may have as much power as the members of the allopathic, or regular school, was read. The petition recites that the law as it exists is very satisfactory and has stood the test of the courts, and that to revise it as suggested would open a way for quacks to secure an entrance into the profession.

Two of the series of prison bills framed by the Committee on Prisons and Reformatories were passed. They relate to commitments to Whittier and the Preston School of Industry. There are several of these bills, the whole covering the system of reform outlined by the committee, yet to be passed. All the remaining ones are ready for final passage.

Houser took advantage of the fact that some of the opponents of the measure on the San Francisco side were absent on committee work, and tried again to secure the passage of his celebrated bill granting the right to graduates of the law department of the Southern California Methodist University to be admitted to practice on their diplomas. No word was spoken against the bill, but some of the San Francisco members busied themselves on the floor and it was again defeated. Houser gave an exhibition of tenacity by changing his vote from aye to no and giving notice that he would move for a reconsideration.

Two school bills of importance were passed. One by Transue provides that high schools may be organized in districts where there are only 150 pupils and where the nearest existing high school is six miles away. The present limit is 300 pupils. The other bill is by Thompson, and raises the rate of taxation per pupil in the State for school purposes from $7 to $8. It will add about $400,000 to the school fund if it becomes a law.

At the afternoon session Wolfe's Senate bill making twelve hours a day's labor for San Francisco firemen was brought up by Atkinson and passed unanimously. It now goes to the Governor.

The Speaker appointed McCartney, Atkinson, Beardslee, Burke and Lumley a committee to investigate the charges against Superior Judge Smith of Santa Cruz.

A bill by Manwell increasing the tax rate per school pupil from $7 to $9 was passed. It was explained, when the fact that a bill making an increase to $8 had just been passed was mentioned, that it was desired to place both propositions before the Senate and let it take its choice. The members began the vote amid laughter.

A night session was held. Before a quorum could be obtained it was necessary to send assistant sergeants at arms hustling for members, the bribery investigation in the Senate chamber proving a strong counter attraction.

ADVERTISEMENTS.

THEORIES ABOUT FOOD.

Also a few Facts on the Same Subject.

We hear much nowadays about health foods and hygienic living, about vegetarianism and many other fads along the same line.

Restaurants may be found in the large cities where no meat, pastry or coffee is served and the food crank is in his glory, and arguments and theories galore are advanced to prove meat was never intended for human stomachs, and almost make us believe that our sturdy ancestors who lived four score years in robust health on roast beef, pork and mutton must have been grossly ignorant of the laws of health.

Our forefathers had other things to do than formulate theories about the food they ate. A warm welcome was extended to any kind from bacon to acorns.

A healthy appetite and common sense are excellent guides to follow in matters of diet, and a mixed diet of grains, fruits and meats is undoubtedly the best.

As compared with grains and vegetables, meat furnishes the most nutriment in a highly concentrated form and is digested and assimilated more quickly than vegetables and grains.

Dr. Julius Remmson on this subject says: Nervous persons, people run down in health and of low vitality should eat meat and plenty of it. If the digestion is too feeble at first it may be easily corrected by the regular use of Stuart's Dyspepsia Tablets after each meal. Two of these excellent tablets taken after dinner will digest several thousand grains of meat, eggs or other animal food in three hours, and no matter how weak the stomach may be, no trouble will be experienced if a regular practice is made of using Stuart's Dyspepsia Tablets, because they supply the pepsin and diastase necessary to perfect digestion, and every form of indigestion will be overcome by their use.

That large class of people who come under the head of nervous dyspeptics should eat plenty of meat and insure its proper digestion, by the daily use of a safe, harmless digestive medicine like Stuart's Dyspepsia Tablets composed of the natural digestive principles, pepsin, diastase, fruit acids, and salts, which actually perform the work of digestion. Cheap cathartic medicines, masquerading under the name of dyspepsia cures, are useless for indigestion as they have absolutely no effect upon the actual digestion of food.

Dyspepsia in all its many forms is simply a failure of the stomach to digest food, and the sensible way to solve the riddle and cure the dyspepsia is to make daily use at meal time of a preparation like Stuart's Dyspepsia Tablets, which is endorsed by the medical profession and known to contain active digestive principles.

All druggists sell Stuart's Dyspepsia Tablets at 50 cents for full treatment.