BLAME ALL,

Report of Investigators on the Temporary Roll Scandal.

RAID ON THE FUNDS OF THE STATE.

Assemblymen and Chief Clerk Duckworth Censured for Their Conduct.

ILLEGAL MILEAGE ALLOWED BY THE COMMITTEE.

Judge Waymire Presents an Individual Report to Dismiss Duckworth at Once.

SACRAMENTO, CAL., Feb. 5 .- Assemblyman Waymire, chairman of the special investigating committee, presented the following report:

Mr. Speaker: The special committee appointed to investigate the temporary organization of the Assembly have performed that duty, and herewith submit their report. The amended resolution authorizing the investigation is as follows:

gation is as follows:

WHEREAS, Charges of a serious nature have been made relative to frauds said to have been practiced during the temporary organization this Assembly; and WHEREAS, The Chief Clerk of the Assembly, S. D. Duckworth, is charged with complicity therein, and he denies said charges; there-

fore be it

Resolved, That a special committee of seven
be named by the Speaker of this Assembly to
investigate all of said charges relative to the
organization of this House and to report its
findings to this House. Said committee shall have full power to subpena witnesses, administer oaths, take testimony and such other powers as shall be necessary for the full per-

powers as shall be necessary for the full perlormance of their duties.

Under this resolution the power of the committee is restricted to reporting its findings.
This we understand includes the power to express an opinion, but does not include the
power to make recommendations.

The resolution was adopted January 26,
1897, and the committee began its work the
same day. Mr. Chynoweth of the Assembly has
kindly attended all our sessions and given
valuable assistance in the examination of witnesses. Mr. Duckworth was represented by
counsel and the committee has heard the testimony of all witnesses whose presence was
deemed important. The reporter's transcript
of the testimony and the exhibits are submitted herewith and is referred to for information as to details.

The only statute concerning the attaches
who must be present at the organization of the
Assembly is section 237 of the Political Code,
which is as follows:

"The secretary of the Seneta the minute

at-arms, one assistant sergeant-at-arms, post-mistress, mail-carrier, three gatekeepers and five pages—fiteen in all. Their total per diem should not exceed \$74.

We find that at the organization of the pres-ent Assembly the chief clerk appointed at-taches as follows:

Assistant clerks..... 10 Assistant minute Assistant sergeant-at-6 Clerk to sergeant-at-arms.....

arms Engrossing clerk. 1
4 Assistant engross in clerks. 6
Postmistress. 1
5 Assistant postmis-Assistant journal Assistant postmis-tress.
Porters.
Bookkeeper to ser-geant-at-arms.
Chapiain.
Janitr-ss.

Pages Messenger to state Printer. 1 Gatekeepers.... Position not designated (Ella Bate-Total......112

find that fifteen attaches—twelve in addition to the three statutory officers—would have been ample and the aggregate of the per diem that should have been allowed at this session is \$74. This includes the \$24 per diem to the chief clerk, sergeant-at-arms and minute clerk. For the necessary additional attaches \$50 was sufficient and all that should have been paid. We find, therefore, that \$4215 10 has been paid out in excess of the sum actually necessary.

None of the attaches should be paid for more time than they serve. It has been a custom to allow per diem for an entire week on the plea that the attaches come to the Capitol at a sacrifice of time which makes it proper. There is no justice in this claim. The statute only requires three officers to attend and there is sufficient compensation to them for the time occupied in coming and going in the mileage allowed by law, which exceeds the actual traveling expenses. The other attaches are not required to attend and if they do so voluntarily they have no right to ask pay for extra time. As a matter of fact, they usually come to seek re-employment.

As a matter of fact, they usually come to seek re-employment.
In this connection we must say that the Committee on Mileage, in our opinion, was grossly negligent, not only in recording mileage but also in recommending the payment of a full week's pay to all the attacnes. It was its duty to diligently inquire into all the facts, as its report was designed to guide the Assembly. Had it made proper inquiry of any experienced member it would have at once discovered the illegality of the surplus appointments, and would have prevented the eyil consequences resulting.

evil consequences resulting.

We feel it our duty also to say that all the members of the Assembly who voted for the adoption of the report of that committee are censurable for their negligence. Had they given the matter the proper attention they would have learned that the report was wrong, and that the payments recommended were without any justification whatever in so far as the excessive appointments were concerned. It is apparent that those who had previously served in the Legislature are more to blame than those who were just entering upon their first experience. The testimony shows that a portion of the attaches were appointed with the knowledge and at the request of the mem-

Frank Barnett by Leavitt.
J. L. Oliver by Wright.
H. A. Jackson and I. Erb by Kelly.

en Martin by Caminetti. ames Devitt, M. Aronson, J. Wintringer and Ewing by Henry. Ewing by Henry.
C. Cross (at request of Cross) by Vesburg.
ames Bowen and S. H. Wilson by Breiling.
Jonald Bruce by Dibble.
V. J. Keating by H. H. North.
ohn Wise by J. W. Power.
M. Richardson and Mrs. W. Sampson by
lentine.

W. H. Rice (at request of Bettman) by Har-

T. Smith by Dolan.
W. S. Kingsbury by Kenyon.
F. C. Smyth by Chynoweth.
A. H. Smith by Belshaw.
A. S. Visher by Jones.
N. G. Duckworth by Treacy.
George North by A. W. North.
W. Levinson and E. Sheridan by Dennery.
W. Bullock, W. Hopkins and W. S. Staley by
Price.

J. Brooks by Bettman.
Charles Forbes by Senator Voorheis.
Ray Byron by Arnerich.
Jones admitted that in the cases of J. P. Devine, A. A. Friedlander, S. Voorsanger and R. Blakeston he authorized them to use his name. We think the members who requested appointments or lent their names to justify them are specially deserving of censure. Yet it is to be said in their defense that they had a right to make requests for appointments, knowing that some should be made, and that they had a right to presume the chief clerk would do his duty and make no more appointments than were actually necessary for the public service. With much more force it may be said in defense of all the members that they were occupied largely in the consideration of the Senatorial contest and in the examination of the numerous and voluminous printed reports of public officers preparatory to the commencement of their legislative labors.
While thus occupied they had a right to

printed reports of public officers preparatory to the commencement of their legislative labors.

While thus occupied they had a right to trust the chief clerk to attend to the details of the organization. He had nothing to do but to organize the House. His mind was free from other cares. He had been a member of the Legislature, and had served as chief clerk at the instression. It was fair to presume that he was familiar with the duties of his office, and would honestly perform them.

We are of the opinion, and so find, that the chief clerk deilberately and intentionally appointed the aforesaid unnecessary attaches. He offers no excuse for his conduct, except the desire to reward the persons appointed for their political services. He has even declared to representatives of the press that if the law is not changed, he will at the next session of the Legislature pursue the same course, even to, the extent of exhausting the contingent fund of the Assembly by appointing, if requisite for that purpose, 1000 attaches.

This is the unfortunate culmination of a bad practice, which has increased session after soot over the contingent fund of the case of the pression, in consequence of the importunities of over the ensession, in consequence of the importunities of pression in the comment of the contingent fund of the Assembly by appointing, if requisite for that purpose, 1000 attaches.

This is the unfortunate culmination of a bad practice, which has increased session after soot over the contingent fund of the Assembly by appointing, if requisite for the pression of the pression of the legislature pursue the same course, even to the extent of exhausting the contingent fund of the Assembly by appointing in the legislature pursue the stream of the legislature pursue the same course, even to the extent of exhausting the contingent fund of the Assembly by appointing if requisite for the pression of the legislature pursue the stream of the legislature pursue the same course, even to find the legislature pursue the same course,

practice, which has increased session after session, in consequence of the importunities of people who come to look upon politics as a trade—a means of gaining a living. They seem to forget that the members of the Legislature are but the people themselves, assembled in their representative capacity for the appropriate collection.

lature are but the people themselves, assembled in their representative capacity for the purpose solely of legislating for the common good of the whole State. They disregard the fact that representatives are trustees, and have no right to expend one dollar of the public funds without a fair equivalent in service or material; that every dollar paid out from the public treasury for an unnecessary servant is money deliberately perverted in violation of a sacred trust.

They work for their party, it is true, but should, if they are good citizens, do so because they believe that the success of their party is necessary to good government, in which they, as well as others, are concerned. In other words, they work for themselves when they work for their party.

The chief clerk is a man of unusual intelligence, and no one understands better than he how indefensible is his conduct. We are happy to say that the evidence does not disclose any attempt on his part to profit financially by his appointments; but this fact by no means justifies his conduct. By the unnecessary appointments he has made he has enabled others to abstract from the public treasury a large sum of money which it will be difficult if not impossible to recover. His example, if unrebuked, would be imitated by others in the future, and this disgraceful abuse, instead of being stopped at once and example, if unrebuked, would be imitated by others in the future, and this disgraceful abuse, instead of being stopped at once and forever, as it should be, will go on increasing until the evil effects are felt in other departments of the public service. It is not necessary to multiply words in condemnation of his action. While we believe a complete rem his action. While we believe a complete remedy will require legislation, either in amendment to the statute or of the constitution, or both, we think also that it is necessary that the one who, by showing himself unworthy of the trust reposed in him, has brought about this unfortunate state of affairs should be made to suffer. As we have already stated, we find no authority in the resolution under and no authority in the resolution under which we are acting to authorize us to recom-

which we are acting to authorize us to recommend any specific punishment, and we must leave that to the judgment of the House.

We are also of the opinion that steps should be taken to recover from the attaches now in the service all the mileage paid them, and we specially call the attention of the House to the case of Mr. Hocking, to whom has been paid the sum of \$117.60 for mileage. He is now acting in the capacity of bookkeeper to the sergeant-at-arms.

Waymire, on behalf of himself indi-vidually, and not as a member of the committee, introduced the following resolu-

which is as follows:

"The secretary of the Senate, the minute clerk and sergoant-at-arms of each House for any session must at the next succeeding session of the body perform the duties of their offices until their successors are elected and qualited."

It is evidently the intention of this law that only the chief clerk of the Assembly, the minute clerk and the sergoant-at-arms of the Assembly should hold over from one session to another. They are required to attend and are therefore entitled to mileage. It is also show a fortal method of the assembly should hold over from one session to another. They are required to attend and are therefore entitled to mileage. No other attaches have any claim to mileage. It is also so clear that the law contemplates that these officers should ordinarly be sufficient to organize the Assembly.

It does not, however, expressly prohibit the employment of other attaches, and it has been the custom of the Assembly. The number so employed has increased each session until the probable value of the animal. Within States and the series of the content of the Assembly shown dorty-pine. A careful in the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employed has increased each session until the probable value of the animal was to employe the probable value of the animal was to employe the probable value of the animal was to employe the probable value of the animal was to employe the probable value of the animal was to employe the proba

Neither the report nor the resolution was read to the House, there being evidenced a disposition on the part of the majority to dispense with the reading thereof. It was decided to have both printed in the journal to-morrow morn-ing, and to make them the special order for next Wednesday at 2 P M

IN SENATE AND ASSEMBLY.

the morning session of the Sanate to-day the following bills were passed: Dwyer's labor bill. Boyce's measure pro-

hill making State and legal holidays the same and Bert's bill regarding legal holi-

The feature of the morning session was the Torrens land act. The bill provides account of such animal. for the issuance by the courts of certificates of titles to property, obviating the the records whenever a sale or transfer of property is made. When such a sale or transfer of property is concluded a new

were passed Assembly bill No. 306, exempting ran-roads whose property was above the alti-tude of 5000 feet from operating during the winter season; North's bicycle bill; Senate bill No. 45, limiting the technical Senate bill No. 45, limiting the technical grounds for reversals of judgments by the Supreme Court; Senate bill No. 310, protecting noming pigeons; Senate bill No. 178, relating to voluntary dissolution of corporations; Senate bills No. 275 and 276, regulating the collection of tolls on bridges and Senate bill No. 189, prohibiting judges approximate relatives as reiting judges appointing relatives as receivers or referees.

Several Senate bills on third reading file several Senate bills on third reading file went over in the absence of their authors. Braunhart spoke at length on his bill requiring the appointment of one ap-pra. ser for estates instead of three, which had been unfavorably reported by the Judiciary Committee; but when Simpson commenced his attack on the bill Mr. Braunhart withdrew it with the consent

of the Senate. The Committee on Enrollment reported that Private Secretary McCabe had in-formed them of the Governor's refusal to sign Senate joint resolution 8 asking for tariff reform on asphaltum for the reason that the secretary of the Senate had no official power to communicate with the representatives in Congress.

The resolution was referred to the Com-

mittee on Executive Communication The first business taken up by the Assembly this morning was the bill providing for the appointment of a Debris Commissioner, who was to direct the expenditure of the appropriation made for the purpose of carrying out the provisions of

The house then went into committee of thorities shall in the annual tax levy set

the bill be made a special order for Thursday, and after some opposition on the part of Dibble the motion was carried.

The San Francisco delegation reported favorable substitute bills on the 2½-cent streetcar fares and the salaries in the Police Department.

The bill to allow San Jose to erect a high-school building on the Normal School grounds was unfavorably reported.

The University of California tax bill passed to a third reading and was made a special order for Mouday at 2 p. M. special order for Mouday at 2 P. M.
Upon being reported back the county
government bill was ordered withdrawn

as recommended by the committee.

Assembly afternoon session—The following Assembly bills were passed this afternoon:
No. 22, establishing a system of street improvement bonds; No. 454, protecting stockholders of mining companies; No. 68, establishing fees for county and township officers, jurors and witnesses; No. 6, autorist the serious stables.

incrizing the appointment of a Japanese interpreter for criminal proceedings in cities of over 100,000 inhabitants.

When Dibble's bill raising the salaries of Judges of the Superior Courts of San Francisco to \$6000 came up North asked to have the enacting clause struck out. After have the enacting clause struck out. After several similar amendments had been of-fered and voted down the bill went to vote and was lost—aves 18, noes 42. Dibble then changed his vote and gave notice

of a motion to recons der.

The Duckworth investigation committee made a report which reviewed the resolution authorizing an investigation. The report stated that the only authority conferred upon the committee thereby was confined to reporting its findings and including an expression of its opinion. It was found that the law authorized only the chief clerk, minute clerk and sergeant-at-arms to hold over, but does not pro-hibit additional attaches. The defect at-arms to hold over, but does not prohibit additional attaches. The defect cannot be remedied except by legislation amending the statutes or constitution, or both. The report states that additional help is necessary, but that a force, numbering fifteen, with a per diem of \$74, was sufficient; and contains a list of men employed by Duckworth, expressing the belief that the responsible party should not go unrebuked.

The committee recommends that steps go unrebuked.

The committee recommends that steps

to t e sergeant-at-arms, who was paid

\$117.
The report of the committee was followed by two resolutions by Judge Way-mire, one of which provided for the col-lection of mileage paid to the appointees and the other charging Duckworth with deliberately making appointments to pay party debts and referring to his threats regarding the appointment of a host of attaches next session. Waymire con-cluded with a resolution finding Duck-worth guilty of misusing trust reposed in him, consequently it is unwise to continue him in office, "and he is hereby removed from office." The resolutions were made a special order for next Wednesday. Kenyon offered a report from the com-mittee on contested elections, consisting of a resolution dismissing the Hoey-Power contest, which was adopted.

CONCERNIAG ESTRAYS. A Bill to Make Matters Rasy Between

the Finder and the Owner.
SACRAMENTO, CAL., Feb. 5.—Linden-

The taker-up shall receive 15 cents per day for the keeping of each horse, mule, jenny, ass, cow, bull, ox, steer or calf; 5 cents per day for each sheep, goat, hog or other animal, provided that the finder may voluntarily deliver such stock to the owner thereof upon receipt of costs and compensation.

Should the owner not appear and claim the animal within thirty days the same Matters of Various Kinds Considered by

Lawmakers.

Shall be sold by the constable by public auction, as under execution and he shall receive the same fees. After the payment of SACRAMENTO, CAL., Feb. 5.—During the constable's fees the finder shall be paid his costs and compensation, or so much as the receipts of the sale shall permit; the surplus to be paid to the owner, who must Dwyer's labor bill, Boyce's measure providing for the employment of a specialist in sociology, the Torrens land act, Bert's school fund of the county.

The taker-up shall use reasonable care to preserve the same from injury, but if any estray animal or animals die or escape at any time before the expiration of the time specified in this act the taker-up shall a speech by Senator Bulla in advocacy of not be held liable in any manner or

ON FORECLOSURE.

necessity of employing experts to search An Act to Protect the Bankrupt Rancher From Financial Sharks.

SACRAMENTO, CAL., Feb. 5 .- Wright's transfer of property is concluded a new certificate shall be issued having the persons whose property shall be sold up persons whose property shall be sold unvalidity of the original title, and by which future sales or transfers can be effected.

In the afternoon the following bills persons whose property shall be sold under foreclosure of mortgage. Under the law as it now stands if the property does not produce sufficient to pay off the prin-Assembly bill No. 306, exempting rail- cipal, interest and costs the deficiency and obliges the lender to bear the loss. The bill reads as follows: Section 726. There can be but one action for

Section 726. There can be but one action for the recovery of any debt, or the enforcement of any right secured by mortgage upon real estate or personal property, which action must be in accordance with the provisions of this chapter. In such action the court may, by its judgment, direct a sale of the incumbered property (or so much thereof as may be necessary), and the application of the proceeds of the sale to the payment of the costs of the court and the expenses of the sale and the amount due to the plaintiff. If it appears from the Sheriff's return that the proceeds are insufficient, or that a balance still remains due, no judgment can be docketed for such balance sgainst the defendant or defendants personally, nor shall the mortgage be given any recourse against such defendant on account of such debt so secured by mortgage, but in all cases where a creditor takes any property as security for a debt, he shall, in case of default in payment of such debt, be confined to such property or the shell, in case of default in payment of such debt, be confined to such property or the proceeds of its sale for the mortgagor of the proceeds of its sale for the satisfaction of his ciaim or demand. No person holding a conveyance from or under the mortgagor of the proceeds of its sale for the satisfaction of his ciaim or demand. No person holding a conveyance from or under the mortgagor of the property mortgaged, or or lien does not appear of record in the proper office at the time of commencement of the action, need be made a party to such action; and the judgment therein rendered, and the reference of the action, need be made a party to such action; and the judgment therein rendered, and the proceedings therein had, are as conclusive against the party holding such unrecorded conveyance or lien as if he had been made a party to the action.

Bhittier's Appr.

BACRAMENTO.

Committed to do the doads.

Two hundred do phone lines.

CRAMENTO.

Two hundred do phone lines.

CRAMENTO.

Two hundred do phone line

DISABLED FIREMEN.

It was recommitted to the Committee on Mines and Mining, with the request that a substitute be drafted. Subsequently the substitute bill was reported and made a special order for Tuesday.

Shanahan's bill providing for the amendment to the Civil Code concerning the redemption of property sold on execution was passed.

Bill to Provide a Fund for the Kellef of Volunteer Firemen.

SACRAMENTO, CAL., Feb. 5.—The Committee on Municipal Corporations introduced in the Assembly to-day bill No. 743 providing a minimum compensation of \$10 per month. The municipal authorities shall in the annual tax levy set

JUDGEN SALARIES.

A Bill That Will Interest the Ermine Throughout the Male. SACRAMENTO, CAL., Feb. 5 .- Strain's Assembly bill 676 changes the salaries of Judges of the Superior Courts. It reads as follows:

as follows:

The annual salaries of the Judges of the Superior Courts of the City and County of San Francisco, and the counties of Alsmeda, San Joaquin, Los Angeles, Santa Clara, San Mateo, Yuba and Sutter combined, Sacramento, Butte, Nevada, Sonoma, Colusa, Monterey, Santa Barbara, San Diego, Marin, Mendocino, Tehama, San Bernardino. Kern, Placer, Humboldt, Tulare, Fresno. Solano, Yolo, Shasta and Contra Costa are \$4000 each; of the Judges of the Superior Courts of the counties of Amador, Calaveras, Stanislaus and El Dorado, \$3500 each; of the Judges of the Superior Court of the county of Santa Cruz, \$3000; of the Judges of the Superior Court of the counties of Del Norte and Modoc, \$2400 each; and of the Judges of the Superior Court of the county of Alpine, \$2000 per annum; one-half of which shall be paid by the State and the other half thereof by the county of which the Judge is elected or appointed, except that in the counties of Yuba and Sutter one-fourth of the salary of the Superior Judge shall be paid by each county.

COUNTY HIGHWAYS.

Supervisors May Issue Bonds to Raise Money to Build Them. SACRAMENTO, CAL., Feb. 5 .- Caminetti's Assembly bill 764, introduced tocounty to define what shall constitute county highways. All highways connectcounty boundary shall constitute county

WILD BIRDS.

An Attempt to Protect Them From the Guns of Hunters. SACRAMENTO, CAL., Feb. 5 .- Burn-

ham's Assembly bill 755, introduced today, provides that wild birds shall not be after they are dead. This bill does not affect game or other birds for which a closed season has been made by the game laws, and it does not protect the English sparrow. The eggs of wild birds shall not be offered for sale or or the nests robbed or destroyed, unless when necessary to protect buildings or prevent their deface-

Certificates may be granted by a uni-Certificates may be granted by a university, college or incorporated society of natural history in this State to any properly accredited person to collect birds, their nests or eggs for scientific purposes only.

A fine of \$25 for each bird killed or trapped will be the penalty for a violation of the act.

If her turrets had broken loose off Hatters the ship might have been lost.

The Navy Department gave out the following statement of facts:

Judge A. P. Cathin of the Superior Court of Sacramento County, in a recent this afternoon:

"The Indiana returned to-day to Hampton roads, having made a run with the squadron. When she went out this time is indicated by the following statement of facts:

Judge A. P. Cathin of the Superior Court of Sacramento County, in a recent decision fining the editor of the Sacramento County, in a recent this afternoon:

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"The Indiana returned to-day to Hampton roads, having made a run with the squadron. When she went out this time.

Strictest confidence observed.

POLICE SALARIES.

Bill Introduced in the Assembly by the San Francisco Delegation. SACRAMENTO, CAL, Feb. 5. - The San Francisco delegation introduced today Assembly bill 741, regulating police salaries in municipalities of the first class as follows:

s follows: Chief of Police, \$5000 per annum. Captain of detectives, \$3000 per annum. Clerk to Chief and Commissioners, \$2500 per annum.

Property Clerk, \$2500 per annum.

Fifteen detectives, \$1800 per annum.

The act also provides that upon petition of the Chief of Police to the Supervisors or City Council such body may authorize the Chief to detail additional poicers to perform detective duty at \$1800 per annum each.

STREETCAR FARES.

Another Iwo and a Half Cent Bill Introduced in the Assembly. SACRAMENTO, CAL., Feb. 5 .- Mulcrevy to-day introduced Assembly bill 740, requiring street railroads in municipalities of the first class, between 6 and 8 o'clock in the morning and 5 and 7 in the evening, to charge only 2½ cents fare. Tickets may be sold in lots of sixty or less to one person. Any person during those hours may receive his change in tickets sixty.

Short- Height Butter

SACRAMENTO, CAL., Feb. 5 .- Dairymen will be equally as well pleased as the consumers with Assembly bill 767, introduced to-day by Harris. It provides that any person offering butter for sale, either in rolls or squares, not of the full standard weight of two pounds avoirdupois, shall be guilty of a misdemeanor. It has been the custom for certain dealers to order dairymen to make their rolls of butter not to men to make their rolls of butter not to exceed a pound and a half or a pound and threequarters each. The dealer buys them by weight and sells them by the roll, re-presenting them to be two-pound rolls, thus defrauding the buyer.

Corporation Taxes. SACRAMENTO, CAL., Feb. 5.—Burn-ham introduced to-day Assembly bill 754, providing that each intended corporation torily arranged before now, the departnamed in section 291 before filing articles of incorporation must have actually subscribed to its capital stock for each mile of the contemplated work the following amounts:

One thousand dollars per mile of rail-One hundred dollars per mile of telegraph.

Three hundred dollars per mile of wagon Two hundred dollars per mile of tele-

Poisoned Food.

SACRAMENTO, CAL., Feb. 5 .- Dibble introduced to-day Assembly bill 759, prohibiting any person having or offering for food or drink, to be eaten or drunk by any human being, any poisonous, deleterious or unwholesome substance. The bill pro-hibits counterfeiting or labeled misrepre-Owners or others in control of any building shall not allow any part thereof or any substance therein, etc., to continue or remain in a condition dangerous to life, health or safety.

Whittier's Appropriation Cut Down SACRAMENTO, CAL., Feb. 5 .- The Committee on Prisons and Reformatories met this evening to consider the bill for an appropriation of \$110,000 to the Whit-

tier Reform School. Treacy of San Francisco objected to the amount, and said that it was not necessary. It was cut down to \$26,000. To Abolish the Commission. SACRAMENTO, CAL., Feb. 5,-At the meeting of the Judiciary Committee tonight it was decided to make a favorable report on the bill abolishing the Code Commission and the measure reducing the fees of Public Administrators after

No Japanese Interpreter. SACRAMENTO, CAL., Feb. 5 .- Dibble

board to the Commissioner of Public Works and the appropriation of \$300,000 for the purchase of a dredger, tools, etc., to be used in the improvement of channels. An amendment striking out the clause making the Governor an ex-officio member of the board was agreed to.

Assemblyman Cutter then moved that the bill be made a special order for Thursday, and after some opposition on the part year.

Train Kobbery

SACRAMENTO, CAL., Feb. 5—A bill amending the present law punishing train robbery or train wrecking, was presented in the Assembly to-day by Belshaw, and is numbered 756. It provides that the culprit shall be punished with death or life imprisonment, at the option of the jury; provided, that in all prosecutions under this section, any one or more of the acts enumerated herein, may be charged in the same information or indictment.

Benevolent Corporations.

SACRAMENTO, CAL., Feb. 5.—Burn-ham introduced Assembly bill 751 this morning, amending title XII, division 1, ganized for purposes other than pecuniary

IS THE INDIANA A FAILURE? The New Battle-Ship Put to Another Test With a Squadron and Has to

Return to Port. WASHINGTON, D. C., Feb. 5 .- What may be represented to foreign Governments as an ignominious failure of one of the crack vessels of the new navy receives an explanation which navy officials of exday, authorizes Supervisors in each perience regard as satisfactory. The return of the battle-ship Indiana to Hampton Roads to-day after having been at sea It ing the several towns and cities in a with Admiral Bunce's squadron hardly county and leading therefrom to the twenty-four hours was due to the same turrets which got 100se in a storm last fall, when Captain Evans commanded the ship in the evolutions off Long Island.

On that occasion the big guns projecting from the turrets swung back and forth across the decks as the ship heeled over on her beam ends in the sea, and the gravest fears were felt that the magnificent vessel would "turn turtle" and go down. Captain Evans hove her to should be taken to recover from the attaches now employed all the mileage paid to them, and calls particular attention to the case of Mr. Hocking, now bookkeeper to the case of Mr. Hocking to the case o in trying to remedy the defect.

Captain Evans was succeeded in command by Captain Taylor, formerly of the war college, and yesterday was Captain Taylor's first experience for some time on an armored ship that has earned a reputation for wallowing, and it is understood that the long rollers following the recent killed or caught at any time, or possessed heavy gale made themselves felt on the when the fleet got off Hatteras.

If she had not been restricted to squadron formation Captain Taylor might have headed his course into the seas, but as the New York with her high free board and notable stability was setting the course, and as the Indiana could not safely stay with the fleet she was permitted to return. If her turrets had broken loose off Hat-

squadron. When she went out this time sue had with her a new locking device for her turrets, lately put on at New York, and which was intended to remedy the trouble she had the last time she put to sea in heavy weather. This present device has three times the strength of the former one. Very properly the officers of the ship have been cautious and observant as to its workings, and she has returned to the Roads for a further inspection of it

and possible readjustment.' The department expects to have the In-

diana again at sea in a few days ONLY A TRIVIAL AFFAIR.

The State Department Receives a Report Barry act) and the formulation by it of From Minister Barrett of the

Kellett Incident. WASHINGTON, D. C., Feb. 5.-The State Department has received a full report of the Kellett affair at Chieng Mai Siam, from Minister Barrett, which indicates that it was only a trivial affair, greatly exaggerated in importance and altogether that a mountain was made from an exceedingly small molehill.

It appears that there has never been any occasion for sending a United States gunboat to Siam on this account, and cer-234 cents for each ticket, not exceeding tainly no additional ship will be sent; nor is there any anticipation of the slightest strain in the relations between this c untry and Siam.
It seems that Mr. Kellett, who is an un-

vants at night to post a letter and one of them carried a cane, contrary to law.

He was arrested and taken to jail, where
Mr. Kellett proceeded and endeavored to rescue the prisoner without formality, and in the resistance offered by the sergeant Mr. Kellett was struck about the head and had his face scratched.

Later in the evening the servant was released by the Siamese Commissioner, who sent a servant to inquire after Mr. Kellett's injuries. Mr. Kellett said he had no reply to make until he communicated with the Minister at Bangkok about the insuit that had been offered him No doubt is held at the State Depart-ment but that the affair has been satifacment taking no action whatever.

A THIEVING BANK CASHIER.

After Thirty-Four Years' Service He Quits \$12,000 Short and Mysteriously Discoppears.

BETHLEHEM, PA., Feb. 5 .- For fifteen years Cyrus E. Breder, cashier of the First National Bank of Bethlehem, has been regarded as an upright and honorable man, but his honesty was a cloak, and he is now a fugitive from justice, with a shortage in his accounts at the bank of

When the First National Bank was organized, thirty-four years ago, Breder began with it as a clerk. By steadiness and capacity in fourteen years he had worked his way up to cashier. For five years, after becoming cashier, he appears to have been perfectly honest. Then he took a nominal sum of money

with the probable idea of returning it. It

was the old tale over again. He never returned the first money taken, and throughout the last fifteen years has been taking small sums at a time until his shortage reached over \$12,000.

Hopeless of ever being able to replace Hopeless of ever being able to replace the sum, and probably knowing that de-tection could be little longer avoided, Breder last Tuesday told his wife that he had resigned from the bank and was going to New York to accept a position there. Since then nothing has been heard of him

His absence from the bank led to an in vestigation of his accounts, and it only took an accountant an hour to-day to discover the extent of the absconding ier's peculations. Breder received a salary of \$150 a month.

The Dolphin Ordered South. WASHINGTON, D. C., Feb. 5. - The The house then went into committee of the whole to consider Sims' measure, providing for the appointment of an auditing each active fireman on the roll, of six his bill asking for the appointment of a She will arrive on Sunday.

SACRAMENTO, Cal., Feb. 5.—Dibble of San Francisco this afternoon withdrew his bill asking for the appointment of a She will arrive on Sunday.

AMENDMENT TO CONTEMPT LAW CATARRH

An Interesting Measure Is Introduced in the Legislature.

Criticism. part IV of the Civil Code defining benevo-lent corporations, so as to define benevo-lent corporations as "Corporations or-Judge Catlin's Ruling Causes Action by the Free Press Defense

on the Same Plane as to

League.

tional amendment: Section 9. Every citizen may freely speak, write and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or of the press. [No speech or publication reflecting upon or concerning any court or any officer thereof shall be treated or punished as a contempt of court, unless made in the immediate shall be treated or punished as a contempt of court, unless made in the immediate presence of such court while in session and in such a manner as to actually interfere with its proceedings. In all criminal prosecutions for libels the truth may be given in evidence to the jury; and if it shall appear to the jury that the matter charged as libelous is true and was published with good motives and for justifiable ends, the party shall be acquitted, and the jury shall have the right to determine the law and the fact. Indictments found or information isid for publications in newspapers shall be tried in the county where such newspapers have their publication office, or in the county where the party alleged to be libeled resided at the time of the alleged publication, unless the place of trial shall be changed for good cause.

The amendment consists of the following inserted in the present law: No speech or publication reflecting upon or concerning any court or any officer thereof shall be treated or punished as a contempt of court unless made in the immediate presence of such court while in session, and in such a manner as to actually interfere with its proceedings.

This language is the gist of the Barry contempt law of 1891, and is an exact copy of the Federal statute now governing all the Federal courts of the United States.

The measure was formulated by the Free Press Defense League of San Francisco, of which Hon. James G. Maguire is

An appeal in the matter was taken to the Supreme Court of this State and a decision, under the ninety-day rule, is due this month. It is highly probable, however, that such a decision will not be given until after the adjournment of the Legislature, and that, if it upholds the view of the law taken by Judge Catlin, there can be no protection for newspaper publishers or the public generally in this matter.

ers or the public generally in this matter of contempt until the convening of the next Legislature.

The action of Judge Catlin, as above referred to, drew forth an almost unani-mous expression from the press and the public of this State, which resulted in the reorganization of the Free Press Defense League of San Francisco (which the present measure. It covers fully the and fitted to glasses with instru

those who have already expressed them-More Trouble Brewing in Oklahoma, GUTHRIE, O. T., Feb. 5.-There are indications of serious trouble at Mangum Greer County. The bill recently passed caused a grand rush, and every lot not occupied by a building has been "jumped" and is being held down by men with Winchesters and six-shooters while the original claimants who laid out the town under the laws of Texas are

making ugly threats. Express Office Robbed of Silver Bars. ST. LOUIS, Mo., Feb. 5.-A special from Durango, Mexico, says that two bars of refined silver, valued at \$10,000, were stolen yesterday from the office of Wells-Fargo express, in that city. The employes claim it was stolen while the office was closed. There is no clew to the robbers.

JOY'S INDORSED. Mr. Theodore Stocke Declares Joy's

Did Him a World of Good



MR. T. STACKE.

Mr. T. Stacke lives at the Santa Rosa Hotel, corner Fourth and San Pedro streets, Los Angeles, Cal. He has used several bottles of the native sarsaparilla, and is now convinced Joy's Vegetable Sarsaparilla is best, "for," said he, "when I began using the Sarsaparilla I had a desire to rest all the time. My blood was disordered, my tongue coated. At times, just for a moment, my head swam; I was not the least bit dizzy. I knew my needs and determined to use a bottle of Joy's Vegetable Sarsaparilla. I easily procured the first bottle, and after using for six days felt better in every way. When I bought the second bottle I had a little trouble in getting it. The drug clerk tried to talk me into using something else. I knew what I wanted and insisted on getting Joy's Vegetable Sarsaparilla. I am heartily glad I bought the remedy and will gladly recommend it to any one. Joy's is cer-

NEW TO-DAY.

noying ailments that afflicts American people. It is an inflammation of the mucous membranes, either of the head, throat, stomach, bowels or bladder. The most common form of catarrh is in the head. It is attended with many repulsive features, such as copious discharges from the nose, an offensive breath, constant hawking and spitting and a variety of Places State and Federal Courts other symptoms too well known to require detailed mention. Catarrh if neglected becomes chronic, and in its chronic stage it is dangerous, as it very often leads to consumption with the usual fatal ending of that deadliest of all diseases.

Catarry yields readily to the Electro-Medical treatment given at the STATE ELECTRO-MEDICAL INSTITUTE, and the worst chronic cases, no matter of how long standing, are invariably cured by this treatment. It cures and has cured in SACRAMENTO, Cal., Feb. 5.—There this treatment. It cures and has cured in was introduced to-day in both houses of hundreds of cases where other remedies the Legislature the following constitu- and treatments failed to give even temporary relief.

If you have catarrh do not any longer remain a victim of such a disagreeable, painful, troublesome and often fatal disease, when you can obtain immediate relief and be permanently

By the great Electro-Medical treatment given at the Institute.

This marvelous electro-medical treatment is creating a tremendous sensation among the people of this coast because of the remarkable cures it is daily effecting and for this same reason it is stirring the medical world as no discovery of recent years has stirred it. There has not been a single failure to cure in any case where the treatment has been given.

X-RAY EXAMINATIONS. If you are sick or ailing, if you want to know what is the matter with you, and if you want to be cured, you should resort without delay to the STATE ELEC-TRO-MEDICAL INSTITUTE. The Insti-It would seem, therefore, that no reasonable objection could be offered to it as a law for the government of the courts of the State of California.

TRO-MEDICAL INSTITUTE. The Institute TREATS AND CURES Diseases of the Heart, Brain and Nerves, Blood Diseases. Rheumatism. Cancers and Tumors. eases, Rhenmatism, Cancers and Tumors, Catarrh, Kidney Diseases, Throat Diseases, Stomach Diseases, Diseases of the Liver, Bowel Diseases, Eye Diseases, Ear president and James H. Barry, editor of the Star, secretary. The necessity for the introduction of this constitutional amend-women.

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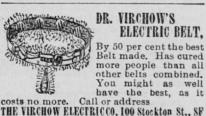
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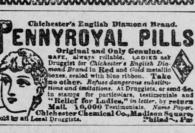
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