

THE
JOURNAL OF THE ASSEMBLY

DURING
THE FIFTH SESSION

OF THE
Legislature of the State of Nevada,
1871,

BEGUN ON MONDAY, THE SECOND DAY OF JANUARY, AND ENDED
ON THURSDAY, THE SECOND DAY OF MARCH.



CARSON CITY :
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1871.

ARRANGEMENT AND CONTENTS OF VOLUME.

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JOURNAL
OF THE
PROCEEDINGS OF THE ASSEMBLY,
FIFTH SESSION, 1871.

NEVADA LEGISLATURE-ASSEMBLY.

FIFTH SESSION.

FIRST DAY.

MONDAY, January 2, 1871.

Pursuant to the provisions of the Constitution and the Statute, the Assembly was called to order at twelve o'clock noon, by the Hon. C. N. Noteware, Secretary of State.

The roll was called, and the following members elected answered to their names, took the oath of office administered by Justice Garber, and subscribed thereto:

Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Lowery, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams.

Mr. Tennant offered the following resolution:

Resolved, That the Assembly do now organize by election of permanent officers in the following order:

First—*Speaker*.

Second—*Speaker pro tem*.

Third—*Chief Clerk*.

Fourth—*Sergeant-at-Arms*.

Fifth—*Assistant Sergeant-at-Arms*.

Sixth—*Assistant Clerk*.

Seventh—*Minute Clerk*.

Eighth—*Engrossing Clerk*.

Ninth—*Journal Clerk*.

Tenth—*Chaplain*.

Mr. Beck moved to amend the order of business by striking out Chaplain.

Lost.

Nominations for Speaker being in order, Messrs. Robert E. Lowery and

John Bowman were placed in nomination. The first ballot resulted as follows: Lowery received 24 votes, and Bowman 20, Lowery and Bowman declining to vote; whereupon the Secretary of State declared Mr. Lowery elected Speaker of the Assembly.

Messrs. Beck and Williams were appointed a committee to wait upon the Speaker elect, and conduct him to the chair.

The committee performed its duty, and the Speaker assuming the chair, addressed the House with a few appropriate remarks, and declared the Assembly ready for business.

A motion was made to adjourn until three o'clock p. m., which was lost.

Mr. Williams moved to strike from the order of business Speaker *pro tem*.

Carried.

Nominations for Chief Clerk being next in order, Messrs. Geo. W. Cassidy and Andrew Whitford were placed in nomination.

On the first ballot Cassidy received 25 votes and Whitford 21; whereupon Mr. Cassidy was declared elected.

Mr. Bowman moved to adjourn until four o'clock p. m.

Lost.

Mr. Smith then moved to take a recess for one hour, which was ruled out of order.

Nominations for Sergeant-at-Arms were announced as next in order.

Messrs. David Weaver and D. H. Pine were placed in nomination. The first ballot resulted as follows: Weaver 25 votes, Pine 21; whereupon Mr. Weaver was declared elected.

P. H. Burnham was placed in nomination for Assistant Sergeant-at-Arms, when Mr. Hogan moved to adjourn until 3:30 p. m.

Lost.

Messrs. P. H. Burnham and P. J. H. Smith were placed in nomination for Assistant Sergeant-at-Arms. On the first ballot Burnham received 24 votes, and Smith 22 votes; whereupon Mr. Burnham was declared elected.

Nominations for Assistant Clerk being in order, T. W. McGovern and Richard Rison were placed in nomination. First ballot McGovern received 24 votes, Rison 22 votes; whereupon Mr. McGovern was declared elected.

Minute Clerk being next in order, Messrs. J. P. Curtis and Theodore Davenport were nominated. Curtis received 26 votes, and Davenport 20; whereupon Mr. Curtis was declared elected.

Engrossing Clerk being next in order, Messrs. Robert Cavanaugh and W. J. Smith were placed in nomination. Smith received 24 votes, and Cavanaugh 22. Mr. Smith was declared elected.

Mr. Buckingham moved to adjourn for one hour.

Lost.

The following message received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, JANUARY 2d, 1871. }

I am directed to inform your honorable body, that the Senate is fully organized by the choice of the following officers:

President pro tem—D. L. Hastings.

Secretary—Chas. F. Bicknell.

Sergeant-at-Arms—M. S. Thompson.

Engrossing Clerk—Frank Sperling.

Chaplain—Geo. B. Allen.

And that they are ready to receive communications from the Governor, and are prepared to proceed with the legislative business of the session.

Respectfully,

CHAS. F. BICKNELL,

Secretary.

A motion was adopted, amending the order of business, and merging the offices of Minute and Journal Clerk into one.

Nominations for Chaplain being in order, Rev. J. D. Hammond and Rev. J. P. Slayton were placed in nomination. On the first vote Mr. Hammond received 35 votes; Mr. Slayton, 6; scattering, 5.

Another motion was made to adjourn one hour, which was lost.

A committee, consisting of Messrs. Lockwood and Trousdale, was appointed to wait upon the Rev. Mr. Hammond and inform of his election as Chaplain.

Mr. Williams offered a resolution: That the Assembly meet the Senate in joint convention at 4 p. m., for the purpose of having the Governor and the Lieutenant-Governor elect, sworn in, which was adopted.

Justice R. R. Parkinson appeared and administered the oath of office to officers elected.

On motion, the clerk was instructed to inform the Senate that the Assembly was fully organized and prepared for business.

It being ascertained that the latest statutes required the election of a Minute and Journal Clerk separately, on motion, the Assembly went into an election of Journal Clerk.

J. C. Dorsey and Theodore Davenport were placed in nomination. On the first ballot Dorsey received 24 votes and Davenport 20; whereupon, Dorsey was declared elected.

Mr. Dorsey and the Rev. Mr. Hammond appeared and were sworn in.

On motion, the Assembly then adjourned until 3:45 p. m.

AFTERNOON SESSION.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

On motion, Messrs. Lockwood, Williams and Tennant were appointed a committee to wait upon the Senate, and inform that body that the Assembly was fully organized, and ready to meet in joint convention.

A message was received from the Senate returning Assembly concurrent resolution so amended as to have the convention held in the Assembly Hall.

The committee returned, and reported that the Senate stood upon its dignity, and declined to act until the Assembly should have transmitted in proper form its concurrence in the Senate amendments to the resolution.

The Clerk transmitted the resolution in proper form, and the Senators marched into the Assembly Hall.

Lieutenant-Governor Slingerland being invited to the chair by Speaker Lowery, stated briefly the object of the convention.

On motion, Assemblyman Tennant and Senators Shamp and Hopkins were appointed a committee to wait upon the Governor and Lieutenant Governor elect, and escort them to the Assembly Hall.

On motion, Senator Bonnifield and Assemblyman Beck were appointed

a committee to wait upon a Justice of the Supreme Court, and invite him to come forward and administer the oath.

The first named committee returned and presented L. R. Bradley, Governor elect, and Frank Denver, Lieutenant-Governor elect, who were introduced to the Convention by Lieutenant-Governor Slingerland.

Chief Justice Lewis appeared; was introduced; and administered the oath of office to the Governor and Lieutenant-Governor elect.

On motion, the Joint Convention adjourned.

On motion of Mr. Williams, the Clerk was instructed to inform the Governor that the Assembly was now fully organized, and ready to receive any communications he had to offer.

On motion of Mr. Lockwood, the Sergeant-at-Arms was authorized to employ a fireman at \$4 per diem.

On motion, the Assembly adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk.

IN ASSEMBLY—SECOND DAY.

TUESDAY, January 3, 1871.

House called to order at eleven o'clock. Speaker Lowery in the chair.

On calling the roll, all members present.

Prayer by the Chaplain.

Motion by Mr. Tennant, that the reading of the minutes be dispensed with.

Adopted.

By Mr. Brown:

Resolved, That the rules governing the proceedings of the last session of the Assembly be declared the rules of this House until otherwise ordered by the adoption of new rules.

By Mr. Potter:

Resolved, That the Speaker be authorized to employ a boy as paper folder.

Lost.

Mr. Tennant gives notice that at some future day he will introduce a bill, entitled "An Act to repeal all laws relative to the collection of four dollars poll tax as a condition of registration."

Mr. Burlingame gives notice that he will, on some future day, ask leave to introduce a bill for an Act to abolish the office of State Mineralogist.

Mr. Hogan gives notice that he will, at some future day, ask leave to introduce a bill, entitled "An Act providing for the removal of county seats, and the permanent location of the same."

Mr. Brown gives notice that he will, on some future day, introduce a bill entitled an Act to submit a bill entitled "An Act to submit to the people

of the counties of Elko, Lander, White Pine, Nye and Lincoln, a proposition to give county aid to a narrow gauge railroad, to commence at a point at or near Elko, and running thence to the Colorado River, touching Hamilton, White Pine County, and Pioche City, Lincoln County."

Mr. Bowman gives notice that he will, at an early day, introduce a bill entitled "An Act for securing liens to mechanics and others," and for the repeal of all laws now in force in relation to such liens.

Mr. Jones gives notice that, at some future day, he will introduce a bill to repeal all laws taxing proceeds of ores or minerals.

Mr. Beck gives notice that he would, at some future day, ask leave to introduce a bill to amend an Act entitled "An Act to amend an Act entitled an Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers, approved March 8th, 1865," approved February 27th, 1869.

Mr. Willard gives notice that he will, on some future day, ask leave to introduce a bill fixing the times and places of holding sessions of the District Court in the Sixth Judicial District of the State.

By Mr. Savage:

Resolved, That Wm. M. Gillespie be, and he is hereby appointed, reporting clerk of the House.

Lost.

Mr. Smith, of Storey, granted leave of absence for one day.

The Governor's Annual Message received and ordered read.

Motion by Mr. Tennant, that the reading of the message be dispensed with, and the same ordered printed.

Motion withdrawn.

Motion by Mr. Bowman, that one thousand copies of the Governor's Message be ordered printed.

Motion withdrawn.

The Speaker appointed as Committee on Elections: Barber, of Storey; Bowman, of Nye; Cowen, of Ormsby; Piper, of Storey; Dovey, of Lyon. Committee on Mileage: Tennant, of White Pine; Garaghan, of Lincoln; Greenhalgh, of Nye.

Motion to adjourn. Carried.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk.

IN ASSEMBLY—THIRD DAY.

WEDNESDAY, January 4, 1871.

House met pursuant to adjournment. Speaker Lowery in the chair.
Roll call. All present.

Journal of the two preceding days read and approved.

The following message from the Senate was received:

SENATE CHAMBER, January 3, 1871.

To the Honorable the Assembly :

I am instructed to herewith transmit to your honorable body Senate Concurrent Resolution No. 2, relative to printing the Governor's message, the same having passed the Senate this day.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

Motion by Mr. Greenhalgh to amend by inserting two thousand copies.
Motion lost by the following vote:

YEAS—Messrs. Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, Owens, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Smith, Tennant.

NAYS—Messrs. Barber, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Jones, Manning, McClelan, McLeod, Murphy, Organ, Simpson, Trousdale, Wagner, Willard, Williams, Mr. Speaker.

The resolution was then concurred in by a unanimous vote.

Mr. Hatch gave notice that he would, at an early day, ask leave to introduce a bill to incorporate the town of Reno.

Mr. Brown gave notice that he would, at an early day, introduce a bill to create legislative funds.

Mr. Wagner gave notice that he would, at some future day, introduce a bill to disincorporate the town of Hamilton.

Mr. Greenhalgh gave notice that he would, at some future day, ask leave to introduce a bill for marking and branding of stock.

Mr. Manning gave notice that he would, at some future day, introduce a bill entitled "An Act for the reduction of salaries of State officers and District Judges in this State."

Mr. Delano gave notice that he would, at some future day, introduce a joint resolution memorializing Congress and the United States Senate to abrogate the existing compact with China, known as the Burlingame treaty.

Mr. Jones gave notice that he would, at some future day, introduce a bill to equalize the pay of jurors.

Mr. Trousdale gave notice that, at an early day, he would introduce a bill, entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada."

Mr. Beck gave notice that he would, at some future day, ask leave to introduce a bill to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the State, and to repeal all other Acts in relation thereto," approved March 8th, 1869.

Mr. Beck gave notice that he would, at some future day, introduce a bill for an Act to regulate proceedings in criminal cases in the Courts of Justice in the State of Nevada.

The following communication was received from the Hon. Secretary of State:

To the Assembly of Nevada:

GENTLEMEN—In compliance with the requirements of article four, section thirty-five, of the Constitution of this State, I have the honor to transmit herewith certain bills, together with the objections of the Governor thereto, viz: Assembly Bills Nos. 128 and 129. These bills originated in

the Assembly at the last regular session, passed both Houses, were presented to the Governor within five days of the final adjournment, and filed in this office, together with the objections of the Governor, within ten days after said final adjournment, viz, on March 8th, 1869.

Very respectfully,

C. N. NOTEWARE,
Secretary of State.

By Mr. Murphy:

Resolved, by the Assembly the Senate concurring, That the two Houses adjourn until Monday, the ninth day of January, A. D. 1871, and that during such recess neither Senators, Assemblymen, or attachés, be entitled to any pay or per diem.

Motion by Mr. Bowman that the resolution lay on the table.

Adopted.

Mr. Speaker announced the following committees:

Committee on Education—W. A. Trousdale, of Humboldt; J. A. Burlingame, of Ormsby; T. J. Jones, of Lander; W. C. Dovey, of Lyon; W. Brown, White Pine.

Committee on Claims—J. S. Child, of Douglas; A. H. Greenhalgh, of Nye; H. Piper, of Storey; H. H. Hogan, of Washoe; S. L. Fuller, of Lander.

Committee on Engrossment—C. H. Patchen, of White Pine; G. W. Rodgers, of Storey; J. W. Ellyson, of Elko.

Committee on Agriculture—H. F. Dangberg, of Douglas; A. McLeod, of Esmeralda; T. Harris, of Humboldt; A. K. Potter, of Storey; S. L. Fuller, of Lander.

Committee on Enrollment—H. A. Willard, of Lander; J. F. Roney, of Lyon; J. Organ, of Humboldt.

Committee on Printing—M. R. Delano, of Esmeralda; Thomas Harris, of Humboldt; A. J. Lockwood, of Ormsby.

Pages—Master Musser; Master Taussig.

Messenger—John Hobin.

Porter—Mr. J. Petra.

By Mr. Potter:

Resolved, That the Controller of State be, and is hereby, authorized and directed to draw his warrant in favor of each member of the Assembly for the sum of sixty dollars, for the newspapers, postage, express charges, and stationery of the present session, as provided by the Constitution of the State of Nevada, article four and section thirty-three, the same to be paid out of the contingent fund of the Assembly.

Amendment by Mr. Wagner to insert thirty instead of sixty dollars.

Mr. Garaghan offered a resolution that the matter be laid on the table for the present.

Carried.

Motion to adjourn. Carried.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—FOURTH DAY.

THURSDAY, January 5, 1871.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll called. Mr. Barber absent.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Potter asked leave of absence for Mr. Barber for one day.

Granted.

The following resolution was introduced by Mr. Beck:

WHEREAS, The Legislature of the State of Nevada at its second session passed an Act entitled "An Act appointing a commissioner to prepare and report to the Legislature, at its next regular session, for its adoption, a civil practice Act," approved March 1st, 1866; therefore,

Resolved, That the judiciary committee of this House be instructed as follows: 1st. To ascertain how much, if any, of the work of said commission was performed. 2d. How much, if any, of the amount appropriated in said Act has said commissioner drawn under its provisions. 3d. To report to this House by bill or otherwise.

Adopted.

By Mr. Manning:

Resolved, That the Sergeant-at-Arms be, and is hereby instructed, to place on the desk of each member of this House one copy of each and every bill that may have been ordered printed, as soon as such bills come to his hands; and, further, that he be instructed to leave two copies of the same at the office of the Secretary of State.

Adopted.

The following communication was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 4th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit to your honorable body, Senate Bill No. 3, entitled "An Act to amend an Act entitled an Act to create a Board of County Commissioners in the several counties of the State, and define their duties and powers," approved March 8, 1865, the same having passed the Senate this day, by the following vote: Yeas, 14; nays, 4.

Respectfully,

CHAS. F. BICKNELL,
Secretary.

Bill read first time.

Mr. Tennant moved that the rules be suspended and the bill be read the second time by title and placed upon its third reading and final passage.

Adopted.

Mr. Tennant moved that the bill be referred to a special committee of one with instructions to amend the same.

Mr. Williams was appointed as such committee by the Speaker, and reported as follows:

Mr. Speaker: The undersigned, appointed a committee of one to amend the bill entitled "An Act to create a Board of County Commissioners in the several counties of this State, and define their duties and powers," approved March 8th, 1865, begs leave to report an amendment to the same by striking out in the engrossed bill the words "or persons charged with felony," in lines nineteen and twenty of page four.

Respectfully,

THOS. H. WILLIAMS.

Report adopted and committee discharged.

Mr. Beck moved that a special committee of one be appointed with instructions to amend by inserting in second line after the words "as follows," the words "section eight."

Mr. Beck was appointed by the Speaker as such committee. Bill approved as amended by the following vote: Yeas, 40; nays, 4. Mr. Hogan declining to vote.

Mr. Bowman gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to regulate the building and management of railroads in this State, and defining the powers and liabilities of railroad companies in this State."

Mr. Willard gives notice that he will, at an early day, introduce a concurrent resolution protesting against the passage of a bill introduced in the United States Senate by Senator Stewart, entitled "A bill to define and protect the rights of miners, and to encourage the development of mines."

Mr. Lockwood gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act for the better observance of the Sabbath."

Mr. Manning gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act for the apportionment of Senators and Assemblymen in the different counties of this State."

Mr. Smith gives notice that he will, at no distant day, introduce bills for the reduction of tolls on the Geiger Grade toll road, in Storey and Washoe counties, and the Gould and Curry toll road in Storey County.

Mr. Organ gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act to tax the net proceeds of mines."

Mr. Patchen gives notice that he will, on some future day, ask leave to introduce a bill for "An Act to disincorporate the City of Treasure."

Assembly Bill No. 1 read the second time, and referred to Committee on Ways and Means, with instructions to print.

Mr. Tennant asked leave to introduce, without notice, a bill, entitled an Act to repeal section two of an Act to amend an Act entitled "An Act to provide for the incorporation of Railroad Companies, and the management of the affairs thereof, and other matters relating thereto."

Read the first time; rules suspended; read second time by title, and referred to Committee on Corporations, and ordered printed.

Mr. Beck introduced a bill entitled "An Act to regulate proceedings in criminal cases in Courts of Justice in the State of Nevada."

Read first time; rules suspended; read second time by title, and referred to Judiciary Committee and ordered printed.

Mr. Beck introduced a bill, entitled "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice of this State,' and to repeal all other acts in relation thereto; approved March 8, 1869."

Read first time; rules suspended; read second time by title, and re-

ferred to Judiciary Committee; and ordered printed.

On motion of Mr. Lockwood, the Governor's veto messages of last session were taken up and read.

First—"An Act to provide for selection and sale of the School Lands belonging to the State of Nevada."

Moved by Mr. Lockwood, that the rules be suspended, and the bill, together with the Governor's message, be referred to the Committee on Public Lands.

Second—"An Act to provide for the issue and sale of school land warrants."

Mr. Burlingame moved the rules be suspended, and that the bill with the Governor's message be referred to the Committee on Public Lands.

Adopted.

Mr. Patchen moved to adjourn.

Lost.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 5th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit to your honorable body Senate Bill No. 8, entitled "An Act to provide for the safe keeping of the securities of the State School Fund;" the same having this day passed the Senate by the following vote: Yeas, 16; nays, 0.

Also, Senate Concurrent Resolution No. 9, relative to printing report of the State Mineralogist, the same having this day passed the Senate.

Respectfully,

CHAS. F. BICKNELL,

Secretary.

Senate Bill No. 8.

Read first time; rules suspended; read second time by title, and referred to the Committee on Education.

On motion of Mr. Bowman, Senate Concurrent Resolution No. 9 was referred to Committee on Printing.

Motion to adjourn.

Carried.

ROBERT E. LOWERY,

Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—FIFTH DAY.

FRIDAY, January 6, 1871.

House met pursuant to adjournment, Speaker Lowery in the chair.

Roll call—All present except Messrs. Tennant and Lawson, who were absent on leave.

Prayer by the Rev. Mr. Hammond.

Mr. Patchen asked leave of absence for Mr. Tennant for one day. Granted.

Mr. Smith asked leave of absence for Mr. Lawson for one day. Granted.

Journal of yesterday read and approved.

REPORT OF COMMITTEE ON PRINTING.

Your Committee on Printing, to whom was referred Senate Concurrent Resolution No. 9, relative to printing, beg leave to report the same back to the Assembly, with the recommendation that it be concurred in.

M. R. DELANO,
Chairman Committee.

Report of committee adopted and resolution concurred in.

By Mr. Greenhalgh :

Resolved, That all newspaper reporters are entitled to seats in this chamber, and that the Sergeant-at-Arms is instructed to provide them with seats and desks.

Adopted.

By Mr. Potter :

Resolved, That the Sergeant-at-Arms be directed to rent rooms for the use of the Engrossing and Copying Clerks of the Assembly.

Mr. Beck moved to amend by striking out the word "rent," and insert the word "procure."

Adopted.

Mr. Bowman moved to amend by striking out Sergeant-at-Arms, and insert "Committee on Ways and Means."

Adopted.

Mr. Smith moved that when the House adjourned, it adjourns until Monday, January 9th, 1871.

Mr. Williams moved to amend by inserting "and members shall receive no pay during the time."

Mr. Smith rose to a point of order.

Speaker decided the point of order well taken, whereupon Mr. Williams appealed from the decision of the chair.

Mr. Bowman moved the previous question. Carried by the following vote : Yeas, 32; nays, 11.

The original motion adopted by the following vote : Yeas, 26; nays, 18.

By Mr. Trousdale :

Resolved, That the Committee on Ways and Means be instructed to furnish the several committees of the Assembly with necessary stationery, and also to provide suitable rooms for the committees.

Adopted.

Mr. Jones gives notice that he will, on some future day, ask leave to introduce a bill for an Act to regulate the stamp duties of the State of Nevada, so as to conform to those of the United States.

Mr. Canavan gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to repeal Acts preventing the redemption of property sold for taxes."

Mr. Delano gives notice that he will, on some future day, ask leave to introduce a bill for "An Act to provide for the better security of life and property in and about any works using steam as a motive power."

Mr. Jones introduced a bill entitled "An Act to amend an Act entitled 'An Act concerning Compensation of Jurors.'"

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee, and ordered printed.

On motion of Mr. Lockwood, Mr. Savage was allowed to introduce a bill without notice.

Mr. Savage introduced the following bill: "An Act to amend an Act entitled An Act for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto."

Read the first time; rules suspended: read the second time by title, and referred to Committee on Corporations, and ordered printed.

Mr. Patchen introduced a bill without notice, entitled "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County."

Read the first time; rules suspended; read the second time by title, and referred to White Pine delegation.

Mr. Roney introduced a bill, an Act to amend an Act entitled "An Act to prescribe rules and regulations for the execution of the trust arising under the Act of Congress, entitled an Act for the relief of the inhabitants of cities and towns upon the public lands."

Bill read first time; rules suspended; read the second time by title, and referred to the Judiciary Committee and ordered printed.

By Mr. Lockwood:

Resolved, That hereafter, when bills are ordered printed by the House, such order shall mean and include two hundred and forty copies.

Adopted.

At 12:45 P. M. motion to adjourn. Carried.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—EIGHTH DAY.

MONDAY, January 9, 1871.

Assembly convened at eleven o'clock A. M.

Roll call. Absent—Mr. Likens.

Mr. Speaker in the chair.

Mr. Dovey asked leave of absence for Mr. Likens for one day.

Granted.

Prayer by the Chaplain, Rev. Wm. Hammond.

Journal of Friday read and approved.

MESSAGE FROM THE HONORABLE THE SENATE

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 9th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit Senate Concurrent Resolution No. 11, relative to installation of officers, the same having this day passed the Senate.

Respectfully,
CHAS. F. BICKNELL,
Secretary.

The following Concurrent Resolution No. 11, from the Senate, was received:

Resolved, By the Senate of the State of Nevada, the Assembly concurring, that a committee of three, to be composed of one from the Senate and two from the Assembly, be appointed to wait upon the Governor and Lieutenant-Governor elect, to ascertain their pleasure in reference to their installation in office, and that said committee make necessary arrangements on the part of the two Houses pertaining to said installation.

Resolution concurred in unanimously.

Mr. Jones moved that the Sergeant-at-Arms be instructed to procure a map of the State of Nevada (latest edition) for the use of the House.

Adopted.

By Mr. Tennant:

Resolved, That the Secretary of State be requested to furnish forthwith a statement of the dates of all affidavits filed in his office by the Board of Examiners, in pursuance of section 2 of an Act entitled "An Act relating to the Board of Examiners to define their duties and powers, and to impose certain duties on the Controller and Treasurer," approved February 7th, 1870, [1865].

Adopted.

Mr. Owen gave notice that he would, on some future day, ask leave to introduce a concurrent resolution asking our Representatives in Congress to abolish the duties on quicksilver.

Mr. Savage gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to consolidate the indebtedness of Elko County, and place the transactions of said county upon a cash basis."

Mr. Patchen gives notice that he will, on some future day, ask leave to introduce a bill for an Act to abolish capital punishment.

Mr. Jones introduced a bill: "An Act to repeal certain parts of an Act entitled an Act to provide revenue for the support of the government of the State of Nevada."

Read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means, and ordered printed.

The following communication was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 9th, 1871. }

To the Honorable the Assembly:

I am instructed to inform your honorable body that Senator Hopkins has been appointed on the part of the Senate as one of the joint committee in relation to installation of State officers.

Respectfully,

CHAS. F. BICKNELL,

Secretary.

Mr. Cowen gives notice that he will, on some future day, ask leave to introduce a concurrent resolution instructing our Senators, and requesting our Representative in Congress to use all honorable means to continue in operation the mint at Carson City, State of Nevada.

Mr. Speaker appointed Messrs. Williams and Tennant to act on joint

committee, on part of the Assembly, relative to the installation of the Governor and Lieutenant-Governor elect.

Mr. Speaker announced the following standing committees:

Committee on Corporations—Messrs. Smith (Chairman), Cowen, Saville, Patchen, Ellyson.

Committee on Counties and County Boundaries—Messrs. Garaghan (Chairman), Bowman, Trousdale, Willard, Likens.

Committee on Trade and Manufactures—Messrs. Delano (Chairman), Dovey, Owen, Fuller, Hatch.

Committee on State Institutions—Messrs. Gray (Chairman), Tennant, Patchen, Hogan, Williams.

Committee on Military and Indian Affairs—Messrs. Beck (Chairman), Hay, Lawson, McClellan, Rodgers.

Committee on Internal Improvements—Messrs. Murphy (Chairman), Potter, Wagner, Beck, Simpson.

Committee on Contingent Expenses and Accounts—Messrs. Jones (Chairman), Beck, Barber, Williams, Lockwood.

Committee on Mines and Mining Interest—Messrs. Murphy (Chairman), Hay, Garaghan, Piper, Organ.

Committee on Federal Relations—Messrs. Williams (Chairman), Canavan, Child, Savage, Bowman.

Committee on Public Morals—Messrs. Trousdale (Chairman), Burlingame, Buckingham.

Committee on State Library—Messrs. Likens (Chairman), Simpson, Barber.

Committee on Public Lands—Messrs. Hatch (Chairman), Garaghan, Gray, Burlingame, Wagner.

Committee on Judiciary—Messrs. Williams, (Chairman), Lockwood, Savage, Manning, Bowman, Jones, Tennant.

Committee on Ways and Means—Messrs. Savage (Chairman), Garaghan, Manning, Buckingham, Cowen, Williams, Smith.

Mr. Williams, Chairman of joint committee on the part of the Assembly, made a verbal report, which was, on motion of Mr. Smith, unanimously adopted.

On motion of Mr. Cowen, the House took a recess until 12:45 P.M.

RE-ASSEMBLING OF THE HOUSE.

Roll call, all present except Mr. Likens, absent on leave.

Mr. Williams stated that the arrangements for the reception of the Governor and Lieutenant-Governor elect were completed; also, that the outgoing Governor was quite ill, and unable to attend.

By Mr. Lockwood:

Resolved, That a committee of three be appointed by the chair, to inform the Senate that the House is ready to receive them in this chamber, before proceeding to the Ormsby House to escort the Governor and the Lieutenant-Governor to the Capitol.

Adopted.

The chair appointed Messrs. Lockwood, Williams and Bowman as a committee, to inform the Senate that the House was ready to receive that body.

Senate and Assembly met at 1 o'clock P. M., in Joint Convention, Lieutenant-Governor Slingerland presiding.

Roll call, quorum present.

Whereupon the Joint Convention proceeded to the residence of the Governor and Lieutenant-Governor elect, and escorted them to the Assembly Chamber.

Roll of Senate called; all present.

Roll call of Assembly; all present except Mr. Likens and Mr. Buckingham; Mr. Likens absent on leave.

Lieutenant-Governor Slingerland introduced Governor Bradley, who, by permission, read the following Inaugural Address:

Fellow Citizens:

Having taken the official oath, as Governor of the State of Nevada for the next four years, in this presence I render my grateful acknowledgments to the generous people who have intrusted to my hands the important duties of their Chief Executive.

Fully impressed with the magnitude of the interests involved in the well or ill-performance of the obligations resting upon me in the station to which I am called, I assure them that my only purpose and constant effort shall be to do my whole duty without fear or favor.

It ought to be remembered by each Department of the Government that it was created by the people for the purpose of preserving *their* rights and promoting *their* prosperity. It must not be forgotten that the Government *belongs to the people*, and that the inestimable right of self-government is lost when the people shall consent to belong to the Government. The innate love of liberty in the heart of every true American, and the conscious feeling of personal independence which pervades the breast of every citizen of this free Republic, will always keep our people ready and able to rebuke the arrogance of office, and to repress every selfish attempt of power to invade the rights of our people.

The brief history of Nevada is full of promise. But a few short years since our State was only known to the world as a wonderful mining camp. Now, though our mining fields are distinguished among the richest on the globe, and are known to extend from California to Utah, and from Idaho to Arizona, mining is not our only—possibly, not our best—source of wealth and future prosperity. Our genial climate and productive soil are yielding rich rewards to the husbandman. Our very large grazing fields, unequaled in the richness of their natural grasses, are making us distinguished for our flocks and herds. Our superior and abounding hydraulic power is being utilized, and at a day, not remote, our fabrics will take their place in the marts of the world. Our school system is extending its benefits to every portion of our State, and a judicious management of the munificent endowment for that purpose will soon make our educational advantages equal to any.

The great Trans-Continental Railroad passing through our midst makes us neighbor to New York and the broad Atlantic on the one hand, and to San Francisco and the great Pacific on the other. Temples in almost every hamlet are dedicated to the worship of Almighty God.

With wise and just laws dispensing the benefits and burdens of the Government upon all alike, we shall be blessed indeed.

Let us render the homage of grateful hearts to Him from whom all blessings come.

Lieutenant-Governor Slingerland declared the Joint Convention adjourned *sine die*.

Mr. Potter declined serving on the Committee on Agriculture, and recommended Mr. Roney to fill the vacancy.

Moved by Mr. Beck that it is the sense of this House that no member has the right to decline serving on any committee.

Moved again by Mr. Beck, that the whole matter be indefinitely postponed.

Carried.

The following message was received from the Governor:

To the Senate and Assembly of the State of Nevada:

I have the honor to inform you that I have appointed C. H. Belknap my private secretary.

L. R. BRADLEY,
Governor.

CARSON CITY, January 9, 1871.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 9th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body Senate Concurrent Resolution No. 13, relative to appointing a Joint Committee of three from the Senate and four from the Assembly to examine into the defalcation in the State Treasury by the late State Treasurer, E. Rhoades, and the dereliction in the performance of their duties by the Board of Examiners.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

The following is the Concurrent Resolution, which was adopted by a unanimous vote:

WHEREAS, It appears from the Governor's Message transmitted to the Legislature, that a defalcation in the State Treasury of over one hundred and six thousand dollars exists; and, *whereas*, judgment has been duly rendered in the District Court of the Second Judicial District of the State of Nevada against the bondsmen of the defaulting Treasurer; and, *whereas*, certain of said bondsmen are reputed insolvent; therefore

Resolved, by the Senate the Assembly concurring, That a joint committee of seven be appointed, three from the Senate and four from the Assembly to examine into and report upon the defalcation of the late State Treasurer, E. Rhoades; the probable amount that can be collected on execution from his bondsmen, and to further inquire into the dereliction of duty on the part of the Board of Examiners in failing to comply with the requirements of an Act entitled "An Act relating to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer," approved February 7, 1865; with power to employ a clerk, send for persons and papers, and to administer oaths.

At 2:45 P. M. Assembly adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—NINTH DAY.

TUESDAY, January 10th, 1871.

Assembly called at eleven A. M. Mr. Speaker in the chair.

Mr. Smith asked leave of absence for Mr. Buckingham for one day.

Mr. Patchen asked leave of absence for Mr. Williams for one day.

Roll called; all present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

By Mr. Savage :

Resolved, That the Sergeant-at-Arms be, and he is hereby, authorized to employ mechanics to fit up a room in the Capitol for the use of the Sergeant-at-Arms, to be paid out of the contingent fund.

Adopted.

By Mr. Burlingame :

Resolved, That the Sergeant-at-Arms be, and he is hereby, instructed to procure a bulletin board for the use of this House, said bulletin board to be used for the purpose of calling committee meetings.

Adopted.

By Mr. Lockwood :

Resolved, by the Assembly, the Senate concurring, that one thousand copies of the Governor's Inaugural Address be printed—five hundred for the Assembly, four hundred for the Senate, one hundred for the Secretary of State for the use of State officers.

Mr. Potter moved to amend by inserting fifteen hundred copies—eight hundred for the Assembly, five hundred for the Senate, two hundred for the State officers.

Adopted.

The resolution, as amended, was then placed on its passage, and was adopted by a unanimous vote.

By Mr. Lockwood :

Resolved, by the Assembly, the Senate concurring, that a special committee of five, three from the Assembly and two from the Senate, be appointed to inquire into and report to their respective Houses what action, if any, is necessary to perfect the title of the State to the grounds and buildings known as the State Prison; said Committee to be appointed by the President in the Senate, and by the Speaker in the Assembly, and to have power to send for persons and papers, and to administer oaths, and to employ a clerk at five dollars per day.

Adopted.

By Mr. Beck :

Resolved, That the Judiciary Committee be instructed to ascertain what legislation, if any, is necessary in the matter of two certain checks now held and counted by the State Treasurer as so much money, and report to the House, by bill or otherwise.

Adopted.

By Mr. Potter :

Resolved, That the Sergeant-at-Arms be authorized to procure one dozen chairs for the accommodation of Senators, State officers, and ladies.
Adopted.

Mr. Simpson gives notice that he will, on some future day, ask leave to introduce a bill for "An Act to regulate the rate of transportation on railroads in this State."

By Mr. Dovey :

Resolved, by the Assembly, the Senate concurring, that a committee of three, one from the Senate and two from the Assembly, be appointed by the chair; said committee to examine and report upon the title of the State to the grounds known as the Plaza, on which the Capitol building is situated.

Adopted.

Mr. Tennant gives notice that on to-morrow he will introduce a resolution relative to changing the standing rules of the Assembly, and changing of Standing Committees.

Mr. Potter gives notice that he will on to-morrow introduce a resolution to increase the Committee on Agriculture.

By Mr. Bowman :

Resolved, by the Assembly, the Senate concurring, that a Committee of three be appointed, one from the Senate and two from the Assembly, to ascertain the amount of property belonging to the State, formerly used by the two Houses of the Legislature; said Committee to report a full inventory of such property.

Adopted.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 10th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body Senate Concurrent Resolution No. 14, relative to the Sergeant-at-Arms distributing copies of printed bills.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

The following Concurrent Resolution No. 14, received from the Senate:

Resolved, by the Senate, the Assembly concurring, That the Sergeant-at-Arms, of the Senate, is hereby directed to deliver to the Sergeant-at-Arms of the Assembly, two thirds of the number of all bills printed by order of the Senate. And the Sergeant-at-Arms of the Assembly, is hereby directed to deliver to the Sergeant-at-Arms of the Senate for the use of the Senate, one third of the number of copies of all bills printed by order of the Assembly.

Concurred in.

Mr. Beck gives notice that he will, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act in relation to public highways."

Mr. Beck gives notice that he will, on some future day, ask leave to introduce a bill for an Act in relation to the District Courts of the State of Nevada.

Mr. Beck introduced Assembly Bill No. 19: "An Act to repeal an Act entitled 'An Act concerning compensation of Jurors.'"

Read the first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

At 12 o'clock m. House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—TENTH DAY.

WEDNESDAY, January 11, 1871.

Assembly met at 11 o'clock A. M.; Mr. Speaker in the chair.

Mr. Owen asked leave of absence for one day for Mr. Piper. Granted. Roll called; all present.

Prayer by the Chaplain, Rev. Mr. Hammond.

Journal of yesterday read and approved, by inserting the name of Mr. Jones in lieu of Mr. Lockwood, as the introducer of the concurrent resolution relative to the printing of the Governor's inaugural address.

Mr. Smith, from the Committee on Corporations, made the following report:

Mr. Speaker:

Your Standing Committee on Corporations, to whom was referred Assembly Bill No. 7, entitled an Act to amend an Act entitled "An Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22, 1865, have had the same under consideration, made the following amendments, to wit: In line four (of printed bill) strike out the words "one third," and insert in lieu thereof the words "one fourth;" also, in line four strike out the words "thirty days," and insert in lieu thereof the words "fifteen days;" also, add to line twenty-one in said section: "Provided, That no such division or distribution shall be made until the road shall be built and equipped;" and recommend it do pass.

R. T. SMITH,
Chairman.

Mr. Williams, from the Judiciary Committee, made the following report:

Mr. Speaker:

The Judiciary Committee herewith return Assembly Bill No. 2, entitled "An Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto; approved March 22, 1865;' approved

March 9, 1866," and respectfully recommend the adoption and passage of the following substitute for said bill, to wit: Strike out all after the enacting clause and insert as follows:

SEC. 1. Section two of an Act entitled "An Act to amend an Act entitled an Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto; approved March 22, 1865; approved March 9, 1866;" is hereby amended so as to read as follows:

SEC. 2. All railroads built by companies incorporated under the provisions of this Act shall be constructed with the best quality of iron rail, known as "T" rail and "H" rail, or other patterns of equal utility; *provided*, the provisions of this section shall not apply to tracks laid down in the streets of incorporated cities or towns.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Patchen, from the select committee, composed of the White Pine delegation, submitted the following report:

Mr. Speaker:

Your select committee, composed of the White Pine delegation, to whom was referred Assembly Bill No. 8, "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County," have had the same under consideration, and report the same back to the House, and recommend its passage.

C. H. PATCHEN,
W. BROWN,
P. P. CANAVAN,
JOHN WAGNER,
T. J. TENNANT.

Mr. Jones introduced Concurrent Resolution No. 21, calling a Constitutional Convention.

Mr. Jones moved that the resolution be referred to the Judiciary Committee.

Adopted.

By Mr. Hatch:

Resolved, That the State Register be, and he is hereby, requested to furnish this House with a list of lands selected by the State, also with a statement of what portion of the same have been sold.

Adopted.

By Mr. Potter:

Resolved, That the Committee on Agriculture be increased to seven members.

Adopted.

Mr. Speaker appointed Messrs. Greenhalgh and Roney to fill said committee.

By Mr. Tennant:

Resolved, That John Wagner and J. M. Gray be added to the Standing Committee on Counties and County boundaries, and that Mr. Dovey be added to the Committee on Judiciary.

After considerable discussion the matter was indefinitely postponed.
By Mr. Garaghan :

Resolved, by the Assembly, the Senate concurring, that Wm. H. Henderson, County Recorder of Lincoln County, is hereby granted leave of absence from the State for three months, provided he leave a competent deputy to fulfill the duties of the office during his absence. Adopted.

Mr. Tennant gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act relating to certificates of incorporation and articles of association."

Mr. Bowman gives notice that he will, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State."

Mr. Bowman gives notice that he will, on some future day, introduce a bill for an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada."

Mr. Burlingame gives notice that he will, on some future day, ask leave to introduce a bill for an Act to change the boundary line of Ormsby County.

Mr. Organ gives notice that he will, on some future day, ask leave to introduce a bill for an Act to subdivide the several counties of this State into Commissioner Districts.

Mr. Bowman introduced a bill entitled "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto."

Read first time; rules suspended; read second time by title, and referred to the Judiciary Committee, with instructions to print.

Mr. Hogan introduced a bill entitled "An Act to amend an Act entitled 'An Act providing for the removal of county seats, and the permanent location of the same.'"

Read first time; rules suspended; read second time by title, and referred to the Committee on Judiciary, with instructions to print.

Mr. Burlingame, by leave, introduced a bill without previous notice, for an Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports to certain parties therein named.

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Library.

At twelve o'clock, the House went into a Committee of the Whole, for the consideration of the general file. Mr. Beck in the chair.

At one o'clock the committee rose, and made the following report:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 2, entitled "An Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and for the management of the affairs thereof, and other matters relating thereto, approved March 22, 1865'—approved March 9th, 1866," and beg leave to report the same back to the House, and recommend the adoption of the substitute reported by the Judiciary Committee.

They have had also under consideration Assembly Bill No. 7, entitled "An Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto, approved March 22, 1865'—approved March 9, 1866," and recommend the adoption of the amendment reported by the Committee on Corporations; and that section three be stricken out, and when so amended, they recommend that the bill do pass.

Also, Assembly Bill No. 8, entitled "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County," and report the same back to the House, with a recommendation that the bill pass without amendments.

Report adopted.

Mr. Burlingame moved that the bills considered by the Committee of the Whole be ordered engrossed.

Adopted.

Mr. Lockwood moved a reconsideration of the vote by which the Governor's veto messages were referred to the Committee on Public Lands.

Adopted.

Mr. Burlingame moved that the Governor's veto messages be made the special order for to-morrow at twelve o'clock M.

Adopted.

Mr. Williams moved that the Clerk be instructed to spread the veto messages of the Governor upon the Journal.

Adopted.

The following are the messages as delivered by the Secretary of State on the third day of the present session:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 6th, 1869. }

To Honorable C. N. Noteware, Secretary of State, State of Nevada:

Herewith I deposit with you Assembly Bill No. 128, entitled "An Act to provide for the issue and sale of school land warrants," without my approval. The same came into my hands about fifteen minutes before the final adjournment of the Legislature, March 4, 1869. My objections to, and reasons for not approving, this bill are as follows:

Sections four (4), five (5), and seven (7) thereof provide that certain duties shall be performed by the "State Board of Land Commissioners." I know of no law of the State recognizing any such officers; and as the bill, if it become a law, would be practically inoperative, unless there were such officers as are named therein, I do not think it expedient to cumber the statutes with an Act which in itself would be of no probable validity.

H. G. BLASDEL,
Governor.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 6th, 1869. }

To the Honorable C. N. Noteware, Secretary of State, State of Nevada:

I herewith deposit with you, Senate Substitute for Assembly Bill No. 129, entitled "An Act to provide for the selection and sale of the school lands belonging to the State of Nevada," without my approval. This bill was delivered to, and received by, me on the 4th day of March, 1869,—the day of the final adjournment of the Legislature for the second biennial session. As I do not approve the bill, you will lay it before the Senate, when the Legislature shall next be in session, together with my objections thereto, herein set forth, as required by section thirty-five, article four of the constitution.

The principal feature of the bill, and the objections to it, are these:

First—It creates a Board of Land Commissioners, the duties assigned

to which are now performed by the Board of Regents of the State University, without cost or charge to the State.

Second—It confers the power on the Board of Land Commissioners to elect a State Land Register, at a salary of two hundred and fifty dollars per month; whereas, the Surveyor-General of the State, under existing laws, is ex officio State Land Register; and having been elected to the office of Surveyor-General, since the passage of the law making him such, is, by the Constitution, entitled to the fees and emoluments of such office, for the full term for which he was elected, to wit: until the first Monday of January, 1871,—being the sum of twenty-six hundred (\$2,600) [dollars] per year, for two years.

Third—It authorizes the procurement of an office and the allowance of office expenses, thereby to the extent of office rent, at least, increasing the charge against the State, and it will therefore be seen that, the State being obligated to pay the salary of the ex officio Register in any event—that the salaries of the Land Commissioners, the Register to be elected by them, and rent of office, agent to select lands at ten dollars per day and his expenses—perhaps ten dollars per day additional, will, at a moderate estimate, cost the State ten thousand dollars more per annum, by the proposed Act, than it does under existing laws.

Fourth—By section thirteen of the bill, [all] incidental expenses incurred under the Act may be paid, without presentation to, or allowance by, the State Board of Examiners; and this in palpable violation of section twenty-one, article five, of the constitution.

Fifth—Under the section of the bill last referred to, “the compensation of the State Register, Locating Agent and Commissioners, and all incidental expenses authorized by this Act, shall be paid out of any moneys coming into the School Fund after the passage of this Act.” This is in violation, as I believe, of section three, article eleven of the constitution, which solemnly pledges these lands and the proceeds thereof, for educational purposes, without abatement or diminution of the principal sum derived therefrom. Most certainly this will not be controverted, so far as it applies to the ninety thousand (90,000) acres, granted to the State for an Agricultural or Mining College, as the Legislature, in accepting the grant, entered into a compact with the Federal Government to the effect that the State must provide the means, from its ordinary sources of revenue, to pay the expenses of selling the same and investing the proceeds. It has been so held by our Supreme Court, in the recent case of the *State Ex-Rel. Greenebaum vs. Rhoades, State Treasurer*.

Numerous other objections, but of less moment than those already enumerated, might be stated, to this bill. Suffice it to say—the Act of April 2d, 1867, which it proposes to repeal and supersede—defective as it is, and sadly wanting amendment in many particulars, to which the attention of the Legislature was called, by executive communication, at the beginning of the late session—is far better, less expensive, and measurably free of the constitutional objections apparent in this bill; and had better remain in force until more considerate legislation can be had in relation to this valuable trust, which has been confided to our keeping—the care, management and disposition of our School Fund.

H. G. BLASDEL, Governor.

On motion of Mr. Dovey, the Assembly adjourned at two o'clock P. M.

ROBERT E. LOWERY,
Speaker.

Attest:

G. M. CASSIDY, Clerk.

IN ASSEMBLY—ELEVENTH DAY.

THURSDAY, January 12, 1871.

Assembly met at 11 o'clock.

Roll called; all present.

Mr. Speaker in the chair.

Prayer by the Chaplain, Rev. Mr. Hammond.

Journal of yesterday read and approved.

Mr. Tennant, from the Standing Committee on Mileage, made the following report:

Mr. Speaker:

Your Standing Committee on Mileage have had the same under consideration, and beg leave to submit the following, with accompanying table, showing the distance traveled by the several members of the Assembly coming to and returning from the capital of the State:

	No. Miles.	Amount.
STOREY COUNTY.		
O. T. Barber	32	\$ 12 80
E. L. Buckingham	32	12 80
A. C. Hay	32	12 80
A. Lawson	32	12 80
R. E. Lowery	32	12 80
Samuel Owens	32	12 80
Henry Piper	32	12 80
A. K. Potter	32	12 80
G. W. Rogers	32	12 80
C. S. Saville	32	12 80
R. T. Smith	32	12 80
Thos. H. Williams	32	12 80
WASHOE COUNTY.		
H. H. Beck	28	11 20
H. H. Hogan	60	24 00
A. J. Hatch	60	24 00
LYON COUNTY.		
G. W. Likens	24	9 60
W. C. Dovey	24	9 60
J. F. Roney	70	28 00
CHURCHILL COUNTY.		
J. M. Gray	260	104 00
J. J. McClelan	200	80 00
NYE COUNTY.		
A. H. Greenhalgh	792	316 80
John Bowman	914	365 60
HUMBOLDT COUNTY.		
Wm. A. Trousdale	484	193 60
Thomas Harris	392	156 80
Joseph Organ	392	156 80

	No. Miles	Amount.
ESMERALDA COUNTY.		
M. R. Delano.....	450	180 00
D. F. Manning.....	140	56 00
Angus McLeod.....	140	56 00
D. C. Simpson.....	124	49 60
LANDER COUNTY.		
S. L. Fuller.....	736	294 40
T. J. Jones.....	736	294 40
H. A. Willard.....	818	327 20
D. Murphy.....	736	294 40
LINCOLN COUNTY.		
M. B. Garaghan.....	1344	537 60
DOUGLAS COUNTY.		
John S. Child.....	24	9 60
H. F. Dangberg.....	30	12 00
ELKO COUNTY.		
J. A. Savage.....	872	348 80
J. W. Ellyson.....	646	258 40
ORMSBY COUNTY.		
A. J. Lockwood.....	7	280
J. A. Burlingame.....		
J. R. Cowen.....		
WHITE PINE COUNTY.		
Thos. J. Tennant.....	904	361 60
Wilmer Brown.....	904	361 60
P. P. Canavan.....	904	361 60
John Wagner.....	904	361 60
C. H. Patchen.....	904	361 60

All of which is respectfully submitted.

THOS. J. TENNANT.

Report adopted.

Mr. Trousdale, from the Committee on Education, made the following report:

Mr. Speaker:

Your Standing Committee on Education, to whom was referred Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State school fund," report that we have had the same under consideration, and finding the bill insufficient in its requirements, respectfully report a substitute therefor, and recommend its passage.

(Signed)

W. A. TROUSDALE,
Chairman.

W. BROWN,
J. A. BURLINGAME,
T. J. JONES,
W. C. DOVEY.

By Mr. Smith:

Resolved, That the Chief Clerk be requested to forward to the Secretary of State a copy of all resolutions that have passed, or may pass this House, asking for papers on file in his office, in order that the same may be filed as vouchers for said papers.

Adopted.

By Mr. Hatch:

Resolved, by the Assembly the Senate concurring, That in the formation of new counties, or in changing the boundaries of counties already formed, the lines of the U. S. Government Surveys shall be adopted and described as such boundary, or part of such, wherever such lines are contiguous, and can conveniently be made to serve as such county boundary.

Adopted.

By Mr. Beck:

Resolved, That the Judiciary Committee be, and it is hereby, directed to ascertain what legislation, if any, is necessary to secure to the State the right to assess the lands of the Central Pacific Railroad Company for State and county revenue purposes.

Mr. Piper gives notice that he will, on some future day, ask leave to introduce a bill for an Act to disincorporate the city of Virginia, Storey County.

The Committee on Public Morals gives notice that they will, on some future day, ask leave to introduce a bill for an Act to regulate houses of prostitution.

Mr. Tennant introduced "An Act relating to certificates of incorporations and articles of association."

Read first time; rules suspended; read second time by title, and referred to Committee on Corporations, and ordered printed.

Mr. Bowman introduced a bill for "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in Courts of Justice of this State, and to repeal all other Acts in relation thereto,'" approved March 8th, 1869.

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee, and ordered printed.

Mr. Patchen introduced a bill for "An Act to amend an Act entitled 'An Act concerning crimes and punishments,'" approved November 26th, 1861.

Read first time; rules suspended; read second time by title, and referred to the Judiciary Committee, and ordered printed.

Mr. Jones introduced a bill for "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 29th, 1865."

Read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means, and ordered printed.

Mr. Burlingame introduced a bill for "An Act to audit and allow the claim of A. C. Ellis, for attorney fees in prosecuting the suit of the State of Nevada against Henry Rhoades, administrator of the estate of Eben Rhoades, late State Treasurer, and the bondsmen of the late State Treasurer, Eben Rhoades."

Read first time; rules suspended; read second time by title, and referred to the Committee on Claims.

The Governor's veto message was taken up: "An Act to provide for the issue and sale of school land warrants."

On the question: Shall the bill become a law, notwithstanding the objections of the Governor, the following vote was had:

NAYS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owens, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker.

YEAS—None.

Also, the Governor's veto message relative to "An Act to provide for the selection and sale of the school lands belonging to the State of Nevada."

On the question: Shall the bill become a law, notwithstanding the objections of the Governor, the following vote was had:

NAYS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garrghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker.

YEAS—None.

Mr. Beck was excused from voting. Mr. Patchen, absent.

The following communication was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, JANUARY 11th, 1871. }

To the Honorable the Assembly:

I am instructed to inform your honorable body that the President of the Senate has this day appointed Messrs. Bonnifield, Cleveland and Eastman, on the part of the Senate, to act with four members of your honorable body, to be appointed in accordance with Senate Concurrent Resolution No. 13, relative to a joint committee to examine matters pertaining to the defalcation in the State Treasury by the late State Treasurer, E. Rhoades.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, JANUARY 12, 1871. }

To the Honorable the Assembly:

I am instructed to inform your honorable body that the President of the Senate has this day appointed Messrs. Bonnifield, Abraham and McCoy on Joint Committee on Printing, in compliance with joint rule No. 18.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 11th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Bill No. 7, "An Act to create legislative funds," the same having this day passed the Senate by the following vote : Yeas, 19; nays, 4. Also, to return Assembly Concurrent Resolution No. 22, relative to granting leave of absence to the Recorder of Lincoln County, the same having been this day concurred in by the Senate by a unanimous vote.

Respectfully, F. BUTLER,
Assistant Secretary of the Senate.

By Mr. Willard :

Resolved, That the Committees on Judiciary and Ways and Means each be allowed a clerk. The Committees on Corporations, Military and Indian Affairs, jointly one clerk. The Committees on Education and Internal Improvements jointly one clerk. Mines and Mining and Counties and County Boundaries jointly one clerk. Public Lands, Mileage and Federal Relations jointly one clerk. State Institutions, Trade and Manufactures and Contingent Expenses and Accounts, jointly one clerk. The balance of the committees jointly to be authorized to employ one clerk whenever it is deemed necessary by them to do so.

Mr. Williams offered a substitute that the resolution be referred to the Committee on Ways and Means.

Adopted by the following vote : Yeas, 30; nays, 16.

Mr. Brown gave notice that on to-morrow he would move to reconsider the vote by which the preceding passed.

Mr. Bowman moved to take up Senate Bill No. 7, "An Act to create Legislative funds."

On motion of Mr. Bowman, the House went into Committee of the Whole, Mr. Bowman in the chair.

By Mr. Beck :

Resolved, That the committee do now rise.

Committee of the Whole rose and reported no business.

Mr. Beck moved that Senate Bill No. 7 be taken up.

Mr. Lockwood moved that Senate Bill No. 7 be read first and second time by title, and referred to Committee on Ways and Means.

Adopted.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 12th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 22, relative to printing the report of the Superintendent of Public Instruction. Also, Senate Concurrent Resolution No. 23, relative to Committee on Defalcation of the State Treasurer. Also, Senate Concurrent Resolution No. 24, relative to the Secretary of State furnishing fuel for the Senate and Assembly. Also, Senate Concurrent Resolution No. 25, relative to distributing the report of the State Mineralogist.

Respectfully,
F. BUTLER,
Assistant Secretary Senate.

Senate Concurrent Resolution No. 22, relative to printing report of Superintendent of Public Instruction, referred to Committee on Printing.

Senate Concurrent Resolution No. 23, relative to Committee on Defalcation of the State Treasurer, referred to Judiciary Committee.

Senate Concurrent Resolution No. 24, relative to the Secretary of State furnishing fuel for the Senate and Assembly, was laid on the table.

Senate Concurrent Resolution No. 25, relative to distributing the report of the State Mineralogist, was concurred in.

The following concurrent resolution was received from the Senate:

Resolved, by the Senate, the Assembly concurring, that the Secretary of State be and he is hereby instructed to furnish the necessary fuel for the Senate and Assembly, and to paint the air pipes leading from the furnaces to the legislative chambers, and that the same be paid for out of the contingent funds of each House, when created, in equal proportions.

Referred to Committee on Ways and Means.

By Mr. Cowen:

Resolved, That the Sergeant-at-Arms be instructed to employ a watchman for this House, at five dollars per diem.

Referred to Committee on Ways and Means.

By Mr. Manning:

Resolved, That the Sergeant-at-Arms be, and he is hereby, instructed to purchase a large, recently published map of the United States, for the use of the Assembly.

Referred to Committee on Ways and Means.

On motion of Mr. Burlingame, the Assembly adjourned at 12:30 P. M.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—TWELFTH DAY.

FRIDAY, January 13, 1871.

The hour of assembling having arrived, Speaker being absent, on motion of Mr. Burlingame, Mr. Bowman was chosen Speaker *pro tem*.

Roll called. All present except Mr. Speaker Lowery.

Prayer by the Chaplain, Rev. Mr. Hammond.

Journal of yesterday read and approved.

MAJORITY REPORT FROM COMMITTEE ON WAYS AND MEANS.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Senate Bill No. 7, have had the same under consideration, and a major-

ity of said committee beg leave to report the same back to the House with recommendation that it do not pass.

J. A. SAVAGE,
Chairman.

MINORITY REPORT OF COMMITTEE ON WAYS AND MEANS.

Mr. Speaker :

The undersigned from the Standing Committee on Ways and Means, to whom was referred Senate Bill No. 7, entitled "An Act to create Legislative funds," respectfully report the same back without amendment, and recommend its passage.

J. A. SAVAGE, Chairman.
R. T. SMITH.
E. L. BUCKINGHAM.

Mr. Lockwood moved that the reports with the bill be referred to Committee of the Whole.

Mr. Beck raised a point of order.

The chair overruled the point of order.

Mr. Williams appealed from the decision of the chair; seconded by Mr. Beck.

Shall the chair be sustained? Lost by the following vote:

YEAS—Messrs. Buckingham, Burlingame, Canavan, Dangberg, Dovey, Ellyson, Fuller, Greenhalgh, Harris, Hatch, Hay, Likens, Lockwood, Manning, McClelan, Owen, Organ, Piper, Potter, Rogers, Roney—21 Yeas.

NAYS—Messrs. Barber, Beck, Brown, Child, Cowen, Delano, Garaghan, Gray, Hogan, Jones, Lawson, McLeod, Murphy, Patchen, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams—23 Nays.

Mr. Burlingame asked leave of absence for Mr. Speaker Lowery, for one day.

Granted.

The Committee on Ways and Means made the following report:

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 19, entitled "An Act to repeal an Act concerning the compensation of Jurors," have had the same under consideration, and beg leave to report the same back to the House, with recommendation that it be referred to the Committee on Judiciary.

J. A. SAVAGE,
Chairman.

The Committee on Printing made the following report:

Mr. Speaker:

Your Committee on Printing, to whom was referred Senate Concurrent Resolution No. 22, beg leave to report the same back to the Assembly with the recommendation that it be concurred in.

M. R. DELANO,
Chairman.

The Judiciary Committee made the following report:

Mr. Speaker:

The Standing Judiciary Committee to which was referred Concurrent Resolution No. 21, report the same back, recommending that it be amended as follows:

First—By striking out the word “of” in line two of the title.

Second—By striking out all the preamble between the word “whereas,” in line 4, and “therefore” in line 6, and inserting the following in lieu thereof:

“The Constitution of this State is defective in many particulars; and, “whereas, such defects are so numerous as to render its reformation impracticable in the form of Constitutional amendments, as provided in “section one of article sixteen of said Constitution,” and that it then be passed as amended.

Respectfully,
THOS. H. WILLIAMS,
Chairman.

The Judiciary Committee made the following report:

Mr. Speaker:

The Standing Judiciary Committee to whom was referred Assembly Bill No. 6, report the same back, recommending that it be amended by adding the following to section one:

“*Provided*, That but one mileage during any one term of Court shall “be allowed; and, *provided further*, that all sums paid such jurors as fees “by parties to civil actions, shall be deducted from his claim;” and that it then be passed as amended.

Respectfully,
THOS. H. WILLIAMS,
Chairman.

The Judiciary Committee made the following report :

Mr. Speaker:

The Standing Judiciary Committee to which was referred Assembly Bill No. 4, report the same back, and recommend that it be indefinitely postponed.

Respectfully, etc.,
THOS. H. WILLIAMS,
Chairman.

The Committee on Engrossment made the following report:

Mr. Speaker:

Your Standing Committee on Engrossment beg leave to report that they have examined the following titled bills, and find them correctly engrossed, to wit: Assembly Bill No. 2: “An Act to repeal section two of an Act to amend an Act entitled ‘An Act to provide for the incorporation of railroad companies;’” also, Assembly Bill No. 7: “An Act to amend an Act entitled ‘An Act for the incorporation of railroad companies.’”

C. H. PATCHEN,
Chairman.

A communication from the Secretary of State was received, relative to affidavits filed by Board of Examiners, and ordered to be placed on file.

Shall the vote by which the resolution offered by Mr. Willard, concerning the appointment of clerks, be reconsidered?

Carried.

Mr. Brown moved the adoption of the original resolution.

Mr. Jones offered the following substitute :

That the following committees be allowed clerks as follows : Judiciary Committee, one clerk ; Ways and Means, Public Morals, Federal Relations, one clerk ; State Library, Public Lands, Internal Improvements and Claims, one clerk ; Contingent Expenses, Mines and Mining, Corporations, Counties and County Boundaries, Trade and Manufactures, and Agriculture, one clerk ; State Institutions, Elections, Mileage, Printing, and Education, one clerk.

Mr. Williams moved as a substitute for the whole matter that the Judiciary Committee and the Committee on Ways and Means be allowed each a clerk, and that all other committees may appoint a clerk with the consent of the House, when the service of a clerk is required.

Mr. Potter offered a substitute, That the whole matter be laid over until to-morrow.

Mr. Lockwood moved the previous question, which was agreed to.

Mr. Potter's substitute, being first in order, was lost.

Mr. Burlingame, motion to indefinitely postpone ; lost.

Mr. Williams' amendment to the substitute, being next in order, was lost.

Mr. Jones' substitute to the original resolution was next in order. Yeas and nays called for by Messrs. Burlingame, Potter and Lockwood.

Lost by the following vote : Yeas, 17 ; nays, 28.

The original resolution, being in order, the following vote was had : Yeas, 15 ; nays, 30.

Lost.

Mr. Garaghan moved that the matter of employing clerks be referred to a select committee to be composed of the Chairman of each Standing Committee, with instructions to report to-morrow.

Adopted.

On motion of Mr. Patchen, at 1:30 p. m. the Assembly took a recess for one hour.

At 2:30 p. m. House met.

Mr. Bowman in the chair.

Roll call—All present but Mr. Wagner.

Mr. Wagner was granted leave of absence for the afternoon.

Mr. Beck offered the following Concurrent Resolution :

Resolved, by the Assembly, the Senate concurring, that the following number of homographic charts of the Nevada State government be ordered printed, and furnished as follows : Ten copies to each member and attaché of the Legislature, and two hundred and fifty copies for the Secretary of State, for distribution among the State officers and State librarians.

Adopted.

By Mr. Hogan :

Resolved, by the Assembly, the Senate concurring, that the Board of State Capitol Commissioners be, and are hereby, requested to make their

report, in accordance with section fifteen of an Act entitled "An Act to provide for the erection of the State Capitol at Carson City."

Adopted.

By Mr. Tennant:

Resolved, That under the head of "unfinished business," this House cause to be placed in nomination a name or names of its members for the position of Speaker *pro tem.* and that we vote to fill said position.

Resolution withdrawn, reserving privilege of introducing at some future day.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 13th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body Senate Bill No. 27, "An Act to protect the revenue of the State of Nevada," which passed the Senate on the 12th day of January, 1871, by a unanimous vote.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 27 read first time; rules suspended; read second time by title, and referred to Committee on Judiciary.

The following message received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 13th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body, Senate Bill No. 5: "An Act for the relief of C. Lark, Treasurer of Humboldt County," the same having this day passed the Senate by the following vote: Yeas, 17; nays, 4. I also have the honor to return Assembly Concurrent Resolution No. 15: "Relative to appointment of a committee to ascertain what action is necessary on the part of the State to secure the title to the State prison grounds." Also, Assembly Concurrent Resolution No. 16: "Relative to printing fifteen hundred copies of the Governor's Inaugural Address." Also, Assembly Concurrent Resolution No. 17: "Relative to appointment of a joint committee to examine the title of the State to the capitol grounds." Also, Assembly Concurrent Resolution No. 20: "Relative to the appointment of a joint committee to ascertain the amount of property belonging to the State, formerly used by the two Houses of the Legislature, and report; in all of which the Senate has this day concurred by a unanimous vote.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

On motion of Mr. Organ, Senate Bill No. 5 was taken up, read first and second times by title, and referred to Humboldt delegation.

Mr. Tennant gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act for holding, conducting and maintaining three Gift Concert Entertainments for charitable purposes."

Mr. Jones gives notice that he will, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, repealing that portion of section five of said act, taxing mortgages.

Mr. Gray gives notice that he will, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers," approved March 8th, 1865.

Mr. Barber gives notice that he will, on some future day, ask leave to introduce a bill for an Act to disincorporate the town of Gold Hill.

Mr. Owen gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to amend section two hundred and twenty-three, of the civil practice Act."

The following bill was introduced by Mr. Hay: An Act to amend section sixteen of an Act entitled "An Act to incorporate the town of Gold Hill."

Read the first time; rules suspended; read the second time by title, and referred to the Gold Hill portion of the Storey County delegation.

House proceeded to the consideration of general file.

Assembly Bill No. 2, relative to an Act to amend section two of an Act to amend an Act entitled "An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto."

Bill read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owens, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Williams.

NAYS—Mr. Willard.

Assembly Bill No. 7, read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owens, Organ, Patchen, Piper, Rogers, Savage, Saville, Simpson, Tennant, Trousdale, Willard, Williams.

NAYS—Mr. Potter.

Mr. Barber asked leave of absence for Mr. Piper for the balance of the day. Granted.

On motion of Mr. Williams, at 3:45 p. m. the House went into a Committee of the Whole for the consideration of business on file.

At four p. m. the committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Senate Bill No. 8: "An Act to provide for the safe keeping of securities belonging to the State School Fund," and report the same back to the House, and recommend that it be ordered printed. Also, "An Act to create Legislative

Funds," and report the same back, and recommend that it be made the special order for Monday at twelve o'clock M.

On motion of Mr. Smith, the Assembly adjourned at 4:30 P. M.

Attest:

G. W. CASSIDY, Clerk.

ROBERT E. LOWERY,
Speaker.

IN ASSEMBLY—THIRTEENTH DAY.

SATURDAY, January 14th, 1871.

House met pursuant to adjournment.

Mr. Speaker Lowery in the chair.

Mr. Saville asked leave of absence for Mr. Owens for one day. Granted.

Mr. Piper asked leave of absence for Mr. Potter for one day. Granted:

Mr. Ellyson asked leave of absence for Mr. Savage for one day. Granted.

Roll called, all present except Mr. Burlingame.

Prayer by the Chaplain, Rev. Mr. Hammond.

Mr. Speaker announced the following joint committees:

Committee on State Prison Ground—Messrs. Williams, Lockwood and Smith.

Committee on Capitol Ground—Messrs. Dovey and Greenhalgh.

Committee on State Property—Messrs. Bowman and Savage.

Committee to examine into the State Treasurer's Defalcation—Messrs. Savage, Williams, Tennant and Hay.

Mr. Tennant in the chair.

Journal of yesterday read and approved.

The following report was received from the Committee on Engrossment:

Mr. Speaker:

The Standing Committee on Engrossment have carefully compared the following entitled bill and concurrent resolution with the originals, and found the same correctly engrossed, viz: Assembly Bill No. 8, "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County." Assembly Concurrent Resolution No. 22, relative to granting leave of absence to Recorder of Lincoln County.

C. H. PATCHEN,
Chairman.

The following report was received from the Committee on State Library:

Mr. Speaker:

Your Standing Committee on State Library, to whom was referred Assembly Bill No. 25, entitled "An Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports to certain parties therein named," beg leave to report that they have considered the same, and report the bill back to the House and recommend its passage with the following amendment: by inserting so as to read, "such of the printed documents and statutes of the Territory of Nevada as may be in the State Library for public distribution."

GEO. W. LIKENS,
O. P. BARBER,
D. C. SIMPSON.

Assembly Bill No. 19 taken up, read, and referred to Judiciary Committee.

Report of Judiciary Committee on Assembly Concurrent Resolution No. 21, relative to calling a Constitutional Convention, with amendments taken up and freely discussed by Messrs. Williams, Lockwood, Jones and Beck.

On motion of Mr. Bowman, the whole matter was made the special order for Saturday, the twenty-first instant, at twelve o'clock.

Mr. Williams moved, that on Monday next, at 11:30, the House elect a Speaker *pro tem.* for the term.

Carried.

Senate Concurrent Resolution No. 22, relative to printing the report of the Superintendent of Public Instruction.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams—40.

NAYS—None.

Absent—6.

Assembly Bill No. 6, re-referred to Judiciary Committee.

Assembly Bill No. 4 taken up.

Moved by Mr. Williams that it be re-referred to the Judiciary Committee.

Carried.

Assembly Bill No. 8: "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—40.

NAYS—None.

Absent—6.

Mr. Lockwood asked leave of absence for Mr. Burlingame for one day. Leave granted.

Mr. Lowery asked leave of absence for Mr. Hatch for one day. Granted.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 14th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body Senate Bill No. 21, "An Act to amend an Act entitled 'An Act to define and establish the boundary line between the county of Nye and the counties of Churchill and Esmeralda,'" approved March 5th, 1869, the same having this day passed the Senate by the following vote: Yeas, 17; nays, none. Also, to return to your honorable body

Assembly Concurrent Resolution No. 37, relative to homographic charts. Also, Assembly Concurrent Resolution No. 38, relative to report of Capitol Commissioners, in both of which the Senate has this day concurred by a unanimous vote.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 21: "An Act to define county boundary line between the counties of Nyé, Churchill and Esmeralda.

Read the first time.

Mr. Brown moved that the rules be suspended, bill read the second time, and referred to delegations from the counties above named.

Adopted.

Mr. Bowman moved that the Speaker appoint a chairman of said delegations.

Mr. Speaker appointed Mr. Bowman.

Mr. Williams moved, at 1:25 p.m., that the House adjourn until Monday, at 11 o'clock a. m.

Adopted.

ROBERT E. LOWERY,
Speaker.

Attest:
G. W. CASSIDY, Clerk.

IN ASSEMBLY—FIFTEENTH DAY.

MONDAY, January 16th, 1871.

Assembly met at eleven o'clock a. m.

Mr. Speaker in the chair.

Mr. Barber asked leave of absence for one day for Mr. Potter. Granted.

Roll called; all present except Mr. Hatch.

Prayer by the Chaplain, Rev. Mr. Hammond.

Journal of Saturday read and approved.

COMMUNICATION FROM THE TRUSTEES OF THE ORPHAN ASYLUM.

To Most Honorable Body Assembly:

The trustees of the Nevada Orphan Asylum present their compliments to the honorable body the Assembly, and earnestly request they will appoint a committee to visit the Asylum on any day it will be convenient.

Most respectfully yours,

Sr. M. FREDERICA.

NEVADA ORPHAN ASYLUM, Virginia, January 14, 1871.

P. S.—We have already written to the most honorable body, but presume they have not received the invitation.

Sr. M. FREDERICA.

The Speaker announced the following Joint Committee on Printing: Messrs. Delano, Harris and Lockwood.

The following communication was received from the Orphans' Home;

ORPHANS' HOME, January 14th, 1871.

Members of the Nevada Legislature wishing to visit the "Orphans' Home" are cordially invited to do so at hours suiting their own convenience.

B. B. COREY,
Superintendent State Orphans' Home.

The committee, composed of the chairmen of the various standing committees, made the following report:

Mr. Speaker:

Your select committee, composed of the chairmen of the several Standing Committees of the House, to whom was referred the matter of combining the said committees, and reporting the number of clerks to be employed, have had the same under consideration, and instructed their Secretary to make the following report, with the recommendation that it be adopted:

Committees on Judiciary, Federal Relations and State Institutions, one clerk.

Committees on Ways and Means, Public Lands and Education, one clerk.

Committees on State Library, Contingent Expenses, Public Morals and Claims, one clerk.

Committees on Corporations, Mines and Mining, Counties and County Boundaries, Trade and Manufactures, and Enrollment, one clerk.

Committees on Military and Indian Affairs, Agriculture, Elections, Printing and Mileage, one clerk.

Also, report with compensation at six dollars *per diem*, and to elect clerks as per resolution adopted Saturday, January 14, 1871.

THOS. J. TENNANT,
Secretary of Chairmen Committee.

Adopted.

The following report was received from the special committee on Assembly Bill No. 41:

Mr. Speaker:

Your special committee consisting of the Gold Hill portion of the Storey County delegation, to whom was referred Assembly Bill No. 41, entitled an Act to amend section 16 of an Act entitled "An Act to incorporate the town of Gold Hill," approved February 25, 1869, beg leave to report that we have examined the same, and now report it back to this House, recommending that it do pass without amendment.

A. C. HAY,
GEO. W. ROGERS,
C. S. SAVILLE.

January 16, 1871.

By Mr. Jones:

Resolved, That the map of the State of Nevada, furnished by the Sergeant-at-Arms by order of this House, be not accepted, it not being the latest edition, as required.

Adopted.

By Mr. Bowman:

Resolved, That the fireman of the Assembly Chamber be allowed six dollars per day.

On motion of Mr. Cowen, five dollars per day was inserted, and resolution as amended was adopted.

At 11:35 special order of Saturday was taken up.

Nominations for Speaker *pro tem*, being in order, Mr. Beck placed in nomination Mr. Tennant.

Nomination seconded by Mr. Bowman.

Mr. Tennant was elected by unanimous vote.

By Mr. Garaghan:

Resolved, That in pursuance of an invitation from the Sisters of Charity of Virginia City, to visit their School and Orphan Asylum, the Committee on State Institutions be instructed to do so, and report at their convenience.

Lost.

Motion to reconsider lost.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 14th, 1871. }

To the Honorable the Assembly:

I am directed to inform your honorable body that the President of the Senate has this day announced the following appointments on the part of the Senate, in compliance with Assembly Concurrent Resolution as follows: No. 15, to ascertain in what action is necessary on the part of the State to secure the title of the State to the State Prison grounds, Messrs. Bonni-field and Hall. No. 17, to examine into the title of the State to the Capitol, Mr. Boring. No. 20, to ascertain the amount of property belonging to the State, formally used by the two Houses of the Legislature, and report, Mr. Eastman.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

At 1:10 P.M. the House took a recess for one hour.

At 2:10 P.M. the House reassembled.

Mr. Dovey gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State, and to repeal all other acts in relation thereto," approved March 8, 1869.

Special order for 12 o'clock M., Senate Bill No. 7, taken up and read.

On motion of Mr. Burlingame, the House went into Committee of the Whole, Speaker *pro tem*. in the chair, for the consideration of Senate Bill No. 7.

At 12:50 P. M. the Committee of the Whole rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration Senate Bill No. 7, "An Act to create Legislative funds," beg leave to report the same back to the House, and recommend its passage.

Adopted.

Senate Bill No. 7 was placed on its third reading.

Mr. Beck raised the point of order that the bill had not been considered in Committee of the Whole, as required by the rules.

Mr. Bowman moved the previous question; chair decided the previous question in order.

Mr. Beck appealed from the decision of the chair.

House refused to sustain the chair by the following vote:

YEAS — Messrs. Barber, Buckingham, Burlingame, Brown, Canavan, Dovey, Fuller, Gray, Hay, Jones, Lawson, Lockwood, McClelan, Organ, Patchen, Piper, Rogers, Roney, Saville, Smith—20.

NAYS—Beck, Bowman, Child, Cowen, Dangberg, Delano, Ellyson, Garraghan, Greenhalgh, Harris, Hogan, Likens, Manning, McLeod, Murphy, Owen, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—23.

Mr. Lockwood moved that the bill be put upon its third reading and final passage.

Mr. Williams raised the point of order that the motion could not be considered until the bill had been read by sections in Committee of the Whole.

Chair decided the point of order not well taken.

Mr. Williams appealed from the decision of the chair.

House sustained the decision of chair by the following vote:

YEAS — Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Hay, Jones, Lanson, Lockwood, McClelan, Murphy, Owens, Organ, Patchen, Piper, Rogers, Savage, Saville, Smith—26.

NAYS—Messrs. Beck, Child, Cowen, Garaghan, Greenhalgh, Harris, Hogan, Likens, Manning, McLeod, Roney, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—17.

Mr. Bowman moved that the bill be taken from the general file; rules suspended, and placed upon its third reading; adopted by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Delano, Dovey, Ellyson, Fuller, Gray, Hay, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owens, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Smith, Tennant, Trousdale, Willard, Mr. Speaker—34.

NAYS—Messrs. Cowen, Dangberg, Garaghan, Greenhalgh, Harris, Hogan, Manning, Simpson, Wagner, Williams—10.

Third reading of the bill.

Mr. Williams moved to amend by inserting at the end of line two of section one of the printed bill, "and the bills contracted by the late Secretary of State in furnishing the chambers of the Senate and Assembly, now being occupied in the new capitol of the State; provided, that no such bills contracted by the late Secretary of State shall be paid until the same is so ordered by concurrent resolution of the two Houses of the Legislature."

Lost.

Mr. Beck offered the following amendment: Section two, strike out all after "warrants," line seven, page three, to "said," line eight, same page, and insert the following: "to be deposited by those officers with Wells,

Fargo & Co., at Carson City, to be held and disposed of by said Wells, Fargo & Co. in such manner as the two Houses shall by resolution direct; the first warrant named being subject to the order of the Assembly, and the second to the order of the Senate." Strike out the words "either Sergeant-at-Arms," line twelve, page three, and insert in line thirty the words "said Wells, Fargo & Co."

Lost by the following vote:

YEAS—Messrs. Beck, Buckingham, Cowen, Dangberg, Dovey, Garaghan, Greenhalgh, Hogan, Likens, Lockwood, Manning, McLeod, Savage-Simpson, Wagner, Williams—16.

NAYS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Delano, Ellyson, Fuller, Gray, Harris, Hay, Jones, Lawson, McClelan, Murphy, Owens, Organ, Patchen, Piper, Rogers, Roney, Saville, Smith, Tennant, Trousdale, Willard, Mr. Speaker—26.

Mr. Garaghan moved to refer to a special committee of one, with instructions to strike out the word "twelve" (12), in line eleven, section one, and insert the the word "ten" (10).

Lost by the following vote:

YEAS—Messrs. Beck, Child, Cowen, Dangberg, Delano, Garaghan, Jones, Manning, McLeod, Murphy, Saville, Simpson, Tennant, Trousdale, Wagner, Williams—16.

NAYS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hay, Hogan, Lawson, Likens, Lockwood, McClelan, Owens, Organ, Patchen, Piper, Rogers, Roney, Savage, Smith, Willard, Mr. Speaker—28.

On the final passage of the bill the following vote was had:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, Owens, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Smith, Tennant, Trousdale, Willard, Mr. Speaker—34.

NAYS—Messrs. Beck, Child, Cowen, Dangberg, Garaghan, Manning, McLeod, Simpson, Wagner, Williams—10.

Absent—Messrs. Hatch, Potter—2.

Mr. Williams moved to amend the title of the bill so as to read: "An Act entitled an Act to make members of the Legislature preferred creditors of the State."

Ruled out of order by the chair.

By Mr. Savage:

Resolved, That E. A. Kaiser be, and he is hereby, appointed clerk of the Committees of Ways and Means, Education and Public Lands, at a compensation of six dollars per diem.

J. A. SAVAGE,
Chairman of Committee on Ways and Means.

W. A. TROUSDALE,
Chairman of Committee on Education.

By Mr. Cowen:

Resolved, That the Sergeant-at-Arms be instructed to employ a night watchman, at five dollars per day.

Mr. Owens moved to amend by striking out five and inserting four dollars per diem.

Messrs. Piper, Smith and Garaghan called for the yeas and nays.

Amendment adopted.

At 4:25 P. M. House adjourned, on motion of Mr. Patchen.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—SIXTEENTH DAY.

TUESDAY, January 17th, 1871.

Assembly met pursuant to adjournment at 11 o'clock, A. M.

Mr. Speaker Lowery in the chair.

Roll called—All present except Mr. Hay, who, at the request of Mr. Buckingham, was granted leave of absence on account of sickness.

Prayer by the chaplain, the Rev. Mr. Hammond.

Journal of yesterday read and approved.

The Committee on State Library, Contingent Expenses, Public Morals, Claims and Internal Improvements, reported that they had appointed of such committees, W. D. Jones.

By Mr. Canavan :

Resolved, That the Sergeant-at-Arms be directed to procure window curtains for the Assembly chamber.

Adopted.

By Mr. Dovey :

WHEREAS, The Sisters of Charity of Virginia City, Nevada, have extended an invitation to the members of this Assembly to visit the Catholic Orphan Asylum in their charge in that city; therefore be it

Resolved, by the Assembly, that we hereby make grateful acknowledgment of the courtesies extended to this body by the Sisters of Charity of Virginia City. That we regard the invitation as highly complimentary to this Assembly, and that each member will esteem it a high privilege personally to respond to the kind request.

Adopted.

By Mr. Owens :

Resolved, That the Sergeant-at-Arms procure, and place, chairs belonging to the State, in the lobby of the House for the accommodation of visitors.

Adopted.

Mr. Canavan introduced an Act to amend "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee, with instructions to print.

Assembly Bill No. 25 taken up, read, and amended as recommended by the Committee, and ordered engrossed.

Assembly Bill No. 41 taken up, read by title, and ordered to the bottom of the file.

The resolution offered by Mr. Tennant yesterday, relative to appointing a Committee to visit the Orphan Asylum at Virginia City, was, on motion of Mr. Bowman, laid on the table.

On motion of Mr. Brown, the House adjourned at 12:20 P. M

Attest :

G. W. CASSIDY, Clerk.

THOS. J. TENNANT,

Speaker *pro tem*.

IN ASSEMBLY—SEVENTEENTH DAY.

WEDNESDAY, January 18, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called—All present.

Prayer by the chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

The following report was received from the Standing Committee on Engrossment :

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 25, entitled "An Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports, to certain parties therein named," and have found the same correctly engrossed.

C. H. PATCHEN,

Chairman.

Mr Speaker :

The Standing Committee on Judiciary, to whom was re-referred Assembly Bill No. 6, herewith return the same, and recommend that their former report be concurred in.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker :

The Standing Committee on Judiciary, to whom was referred Assembly Bill No. 9, herewith return the same, and also a substitute therefor, and respectfully recommend the adoption and passage of the substitute.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker :

The Standing Committee on Judiciary, to whom was referred Assembly Bill No. 19, report the same back, and recommend that it do not pass, for the reason that the same subject matter is embraced in Assembly Bill No. 6, which the committee has heretofore recommended the passage of with their amendments.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker:

The undersigned, comprising the Humboldt delegation, to which was referred Senate Bill No. 5, entitled "An Act for the relief of C. Lark, Treasurer of Humboldt County," respectfully report that they have had the same under consideration, and recommend its passage, with the following amendment, viz: strike out "contingent" and insert "redemption," in line four, section one.

Respectfully,
 THOMAS HARRIS,
 W. A. TROUSDALE,
 JOSEPH ORGAN,
 Special Committee.

By Mr. Manning:

Resolved, That the Clerk be, and he is hereby, instructed to ascertain and report in writing to this body, on Monday, the twenty-third instant, the number of attachés employed by the Assembly, the initial date of employment, and salary of each.

Adopted.

Mr. Hatch gave notice that he will, on some future day, ask leave to introduce a bill for an Act to protect stock raisers, cattle dealers and butchers in the State of Nevada.

Assembly Bill No. 41: "An Act to amend section sixteen of an Act entitled "An Act to incorporate the town of Gold Hill," taken up and read, and re-committed to the same committee for consideration.

Assembly Bill No. 25, entitled "An Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports to certain parties therein named."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Danberg, Delano, Dovey, Ellyson, Fuller, Garagham, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, Murphy, Owens, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Wagner, Willard, Mr. Speaker—37.

NAYS—Messrs. Cowen, Gray, Harris, Lockwood, McClelan, McLeod, Organ, Trousdale, Williams—9.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
 CARSON CITY, January 17th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit, for the consideration of your honorable body Memorial and Senate Concurrent Resolution No. 11, relative to repealing laws imposing duties on quicksilver, the same having this day passed the Senate by the following vote: Yeas, 22; nays, none.

Also, to return to your honorable body Assembly Bill No. 8, entitled "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County," with the following amendments: On last page, line 22, after the word "claim," insert—"Section 7. No bids for the surrender of indebtedness shall be accepted if for more than the

par value of such indebtedness." Also, on same line, change the figure "7" to the figure "8."

Respectfully,
CHAS. F. BICKNELL,
Secretary of Senate.

Senate Memorial and Resolution No. 11, relative to repealing laws imposing duties on quicksilver.

Introduced from the Senate; read first time; rules suspended; read second time by title, and referred to Committee on Mines and Mining interests.

REPORT FROM JUDICIARY COMMITTEE.

Mr. Speaker:

The Standing Judiciary Committee, to which was referred Assembly Bill No. 24, herewith return the same, with substitute therefor, and recommend the adoption and passage of the substitute.

Respectfully, etc.,
THOS. H. WILLIAMS,
Chairman.

At 11:55 A.M., on motion, the House went into Committee of the Whole, for the consideration of business on general file.

Speaker *pro tem.* Tennant in the chair.

At 12:45 P.M., the committee rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 9: "An Act to amend an Act prescribing rules and regulations for the execution of the trust arising under the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns on public lands,' " and Substitutes reported by Judiciary Committee Substitute considered, reported back to the House, with recommendation that it be printed.

Also, Assembly Bill No. 6: An Act to amend an Act entitled "An Act concerning compensation of Jurors," report the same back with amendments, and recommend that it be ordered engrossed; Committee asked leave to sit again.

Adopted.

At 12:50 House took a recess for one hour.

At 1:50 P. M. the House convened.

Roll called; all present.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 18th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit to your honorable body Senate Concurrent Resolution No. 45, relative to using furniture of the last Legislature in State Orphan's Home, the same having this day passed the Senate.

Respectfully,
CHAS. F. BICKNELL,
Secretary.

Mr. Williams asked leave of absence for the remainder of the day.

Leave granted.

On motion, the House went into Committee of the Whole; Speaker *pro tem.* in the chair.

At 2:45 P. M. Committee rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 19, relative to an Act to repeal an Act entitled "An Act concerning compensation of Jurors," read and reported back to the House, with recommendation that it be indefinitely postponed; also, Assembly Bill No. 28, considered and reported back with recommendation that it be indefinitely postponed; also, Senate Bill No. 5: "An Act for the relief of the Treasurer of Humboldt County," report the same back to the House, and recommend that it be referred to the Judiciary Committee; also Assembly Bill No. 8, report the same back to the House, and recommend that the Senate amendments be concurred in; also, Assembly Bill No. 24: "An Act relative to the removal of county seats, with substitute by the Judiciary Committee, reported back to the House with recommendation that it be printed, and made the special order for Wednesday, the 25th instant.

Report adopted.

By Mr. Dovey:

WHEREAS, The Grand Lodge of the Independent Order of Good Templars of California and Nevada have presented this House with a very elegant lithograph picture of the Good Templars' Home for orphans; therefore, be it

Resolved, That this House hereby make grateful acknowledgment of the same, and that we esteem the favor as highly complimentary to this body, and, inasmuch as the Order of Good Templars, unaided by Legislative donation or outside contributions, have erected and completed a splendid Home for the Orphans of this State and California; therefore, be it

Resolved, That it is the sense of this House that the Good Templars' Home for Orphans stands first among the charities of the Pacific Coast, and that it is the earnest hope of this Assembly that the pure principles advocated by that fraternity may prevail, until its membership shall embrace every human being, and all mankind shall be redeemed from the curse of black intemperance.

Adopted.

Assembly Bill No. 8: "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County," read and amendment proposed by the Senate concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owens, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousedale, Wagner, Willard, Speaker—44.

NAYS—None.

Absent—2.

On motion of Mr. Bowman, the House adjourned at 3:10 P. M.

ROBERT E. LOWERY,
Speaker.

Attest:
G. W. CASSIDY, Clerk.

IN ASSEMBLY—EIGHTEENTH DAY.

THURSDAY, January 19, 1871.

Assembly met pursuant to adjournment. Speaker Lowery in the chair.
Mr. Owens asked leave of absence for Mr. Lawson for one day. Leave granted.

Roll called; all present.

Prayer by the Chaplain, Rev. Mr. Hammond.

Journal of yesterday read and approved.

The following report was received from the Committee on Enrollment:

Mr. Speaker :

Your Standing Committee on Enrollment respectfully report that they have compared the following entitled Assembly concurrent resolutions with the originals and find them correctly enrolled, and that they have this day handed the same to the Secretary of State, viz: Assembly Concurrent Resolution No. 15, relative to the appointment of committee to ascertain what action is necessary on part of the State to secure the title to the State Prison grounds. Assembly Concurrent Resolution No. 16, relative to printing fifteen hundred copies of the Governor's Inaugural Address. Assembly Concurrent Resolution No. 17, relative to the appointment of a joint committee to examine the title of the State to the Capitol grounds. Assembly Concurrent Resolution No. 20, relative to the appointment of a joint committee to ascertain the amount of property belonging to the State, formerly used by the two Houses of the Legislature, and report upon the same. Assembly Concurrent Resolution No. 22, relative to granting leave of absence to the Recorder of Lincoln County. Assembly Concurrent Resolution No. 37, relative to homographic charts. Assembly Concurrent Resolution No. 38, relative to the report of Capitol Commissioners.

H. A. WILLARD.

Chairman Committee on Enrollment.

The following report was received from the Committee on Engrossment:

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 6, entitled "An Act concerning the compensation of Jurors," and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Senate Concurrent Resolution, relative to Secretary of State furnishing fuel for Senate and Assembly, Committee on Ways and Means reported the same back to the House without recommendation; rules suspended; read and concurred in.

Mr. Garaghan gave notice that Mr. T. W. Healy had been appointed clerk of the following committees: Committee on Corporations, Mines and Mining Interests, Trade and Manufactures, Enrollment, Counties and County Boundaries.

Mr. Garaghan gives notice that he will, on some future day, ask leave to introduce a Bill for an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865.

Assembly Bill No. 46: "An Act to encourage the building of railroads in the State of Nevada," introduced by Mr. Brown.

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Internal Improvements, and ordered printed.

Bill introduced by Mr. Delano: "An Act to provide for the better security of life and property in and about any works using steam as a motive power."

Read for information, and rejected.

Assembly Bill No. 6, an Act to amend an Act entitled "An Act concerning compensation of Jurors."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—41.

NAYS—2.

Absent—2.

Assembly Bill No. 28, an Act to amend an Act entitled "An Act concerning crimes and punishments."

Made the special order for the first Friday in February.

Mr. Willard introduced an Act to authorize the locating of two additional county seats for Lander County.

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee, and ordered printed.

The following message was received from the honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 19th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit to your honorable body, substitute for Senate Bill No. 38: "An Act concerning stock unlawfully running at large," which passed the Senate on the eighteenth day of January, by the following vote: Yeas, 21; nays, none.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

Substitute for Senate Bill No. 38: "An Act concerning stock running at large unlawfully."

Received and read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

At 12:40 p. m., on motion of Mr. Bowman, House went into Committee of the Whole, Mr. Williams in the chair.

At 12:50 p. m. Committee of the Whole rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Bill No. 38, and amend the same by inserting "jackass or Spanish ram" after the word "bull," in both sections of the bill, report the same back, and recommend its passage as amended.

On motion of Mr. Piper, the House adjourned at one o'clock.

THOMAS J. TENNANT,
Speaker *pro tem*.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—NINETEENTH DAY.

FRIDAY, January 20th, 1870.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. Absent—Messrs. Lawson and Potter.

Mr. Rogers asked leave of absence for Mr. Potter for one day. Granted.

Mr. Owen asked leave of absence for Mr. Lawson for one day. Granted.

Prayer by the chaplain, Rev. J. D. Hammond.

Speaker *pro tem*. Tennant in the chair.

Mr. Burlingame asked leave of absence for Speaker Lowery for one day. Granted.

Journal of yesterday read and approved.

The Committee on Ways and Means made the following report :

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 13, have had the same under consideration, and beg leave to report the same back, and recommend its indefinite postponement.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

The Standing Committee on Judiciary, to which was referred Assembly Bill No. 28, herewith return the same, and recommend that it be indefinitely postponed.

Respectfully,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

Your Standing Committee on Mines and Mining Interests, to which was referred Memorial and Resolution No. 11, relative to repealing laws

imposing duties on quicksilver, respectfully report that they have had the same under consideration, and recommend the adoption of said Memorial and Resolution.

D. MURPHY,
Chairman Committee Mines and Mining Interests.

Mr. Speaker :

Your Standing Committee on Enrollment would respectfully report that they have compared Assembly Bill No. 8, entitled "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County," with the original, and find it correctly enrolled, and have this day deposited the same at the office of the Governor for his approval.

H. A. WILLARD,
Chairman Committee on Enrollment.

Mr. Speaker :

We, the undersigned, majority of your select committee, composed of the delegates from the counties of Nye, Churchill and Esmeralda, to whom was referred Senate Bill No. 21, entitled "An Act to amend an Act to define and establish the boundary line between the county of Nye and the counties of Churchill and Esmeralda," have had the same under consideration, and do respectfully report the same back to this House, with the recommendation that it do not pass.

Respectfully,

M. R. DELANO.
D. F. MANNING,
D. C. SIMPSON,
A. McLEOD.

Mr. Speaker :

We, the undersigned, members of your select committee, composed of the representatives of the counties of Nye, Esmeralda and Churchill, to whom was referred Senate Bill No. 21, entitled "An Act to define and establish the boundary line between the county of Nye and the counties of Esmeralda and Churchill," would respectfully report that they have had the same under consideration, and have agreed to report the same back with a recommendation that it pass without amendments.

Respectfully,

JOHN BOWMAN,
A. H. GREENHALGH.

By Mr. Burlingame :

Resolved, That when this House do adjourn it adjourn until Monday the 22d instant, for the purpose of allowing the members an opportunity to visit the Nevada Orphan Asylum in Virginia City on to-morrow.

Adopted.

Mr. Savage introduced Concurrent Resolution, asking leave of absence from the State, for the period of six months, for J. B. Fitch, Sheriff of Elko County. Placed on general file.

Mr. Manning introduced an Assembly Concurrent Resolution relative to removal of the insane from California to Nevada.

Resolution referred to Committee on State Institutions.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 20th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Bill No. 28, "An Act for the relief of Peter Goodfellow, Treasurer of Lincoln County," which passed the Senate on the 19th day of January by the following vote : Yeas, 17; nays, 0.

Also, Senate Bill No. 37, "An Act concerning conveyances executed without the State," which passed the Senate on the same day by the following vote : Yeas, 18; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Mr. Dovey introduced Assembly Bill No. 51, "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in courts of justice.'"

Read first time and placed on file.

Mr. Garaghan introduced Assembly Bill No. 52, "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Mr. Jones introduced Assembly Bill No. 53, "An Act to grant the right of way to A. L. Page, I. C. Bateman, Geo. S. Dodge, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Internal Improvements.

Mr. Jones introduced Assembly Bill No. 54, "An Act to amend 'An Act to provide revenue for the support of the Government of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

Mr. Lockwood introduced Assembly Bill No. 55: "An Act relative to the payment of school moneys by County Treasurers."

Read first time, and referred to Committee on Ways and Means.

Mr. Beck introduced Assembly Bill No. 56: "An Act providing for a mode for assessing and taxing the net proceeds of ranches."

Read the first time; rules suspended, read the second time by title, and referred to Committee on Ways and Means.

Mr. Williams moved that the House resolve itself into Committee of the Whole, for the consideration of the general file.

Adopted.

At 1 o'clock P.M. Committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund," report the same back to the House, and recommend that it be recommitted to a special committee of four, composed of Messrs. Tennant, Lockwood, Beck and Williams.

Also, Senate Concurrent Resolution No. 11, relative to the repeal of the duty on quicksilver; report the same back to the House, and recommend that it be concurred in.

Report adopted.

Mr. Simpson gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada."

By Mr. Lockwood:

Resolved, That hereafter when bills are ordered printed, the copy shall embrace all the amendments reported by the committee to which said bills were referred. Amendments to be indicated in the proper place.

Adopted.

By Mr. Bowman:

Resolved, That the messenger of this House be instructed to deposit in the offices of Wells, Fargo & Co. and in the post office in Carson City all letters and mail matter deposited in the boxes of said offices in this House on each day at 5½ o'clock p.m., and that the Chief Clerk of this House be instructed to furnish said messenger with a copy of this resolution.

Adopted.

Senate Concurrent Resolution No. 11, relative to repealing laws imposing duties on quicksilver.

Read the third time; and passed by the following vote:

YEAS—Messrs. Beck, Buckingham, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Likens, Lockwood, Manning, McClellan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams—41.

NAYS—0.

Absent—Messrs. Barber, Bowman, Lawson, Potter and Mr. Speaker.

Senate Bill No. 38: "An Act concerning stock running at large unlawfully."

Read the third time, and passed by the following vote:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Canavan, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Likens, Lockwood, McClellan, Murphy, Owen, Rogers, Roney, Savage, Tennant, Trousdale, Willard—25.

NAYS—Messrs. Beck, Child, Cowen, Dangberg, Delano, Hatch, Manning, McLeod, Organ, Patchen, Piper, Saville, Simpson, Smith, Wagner, Williams—16.

Absent—Messrs. Barber, Brown, Lawson, Potter, Mr. Speaker—5

Mr. Bowman gave notice that he would, on Monday, move to reconsider the vote by which the bill was passed.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 20th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body, Senate Bill No. 42, "An Act to prevent the destruction of fish in the waters of Nevada," the same having this day passed the Senate by the following vote: Yeas, 16; nays, none. Also, Senate Substitute for Senate Bill No. 6, "An Act supplementary to and amendatory

of an Act entitled 'An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to create counties and establish the boundaries thereof,' approved Nov. 25, 1861'; approved February 27th, 1869," the same having this [day] passed the Senate by the following vote: Yeas, 14; nays, 1.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 28, "An Act for the relief of Peter Goodfellow, County Treasurer of Lincoln County."

Read first time; rules suspended; read the second time by title, and referred to Lincoln County delegation.

Senate Bill No. 42, "An Act to prevent the destruction of fish in the waters of Nevada."

Read first time; rules suspended; read the second time by title, and referred to Committee on Public Morals.

On motion of Mr. Bowman, House adjourned at 1:45 P. M.

Attest:

G. W. CASSIDY, Clerk.

ROBT. E. LOWERY,
Speaker.

IN ASSEMBLY—TWENTY-SECOND DAY.

MONDAY, January 23d, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called.

Mr. Bowman asked leave of absence for Mr. Buckingham for one day. Granted.

Mr. Dovey asked leave of absence for Mr. Likens for one day. Granted.

Leave of absence granted to Mr. Potter, on account of sickness.

Leave of absence granted Mr. Roney for one day.

Prayer by the chaplain, Rev. J. D. Hammond.

Journal of Friday read and approved.

REPORTS OF STANDING COMMITTEES.

Assembly Bill No. 26: "An Act relative to certificates of incorporation" reported back from Committee on Corporations, with amendments.

Senate Bill No. 38 taken up, and on motion laid on the table.

Mr. Trousdale gives notice that he will, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act in relation to public highways."

Assembly Bill No. 51: "An Act to amend an Act entitled 'An Act to regulate proceedings in civil cases in courts of justice.'"

Read second time, and referred to Judiciary Committee.

Senate Bill No. 53: "An Act concerning conveyances executed without the State," taken from general file and read second time, and referred to Judiciary Committee.

Assembly Bill No. 60: introduced by Mr. Savage, "An Act authorizing a State loan," read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means, with instructions to print.

Mr. Savage introduced Assembly Bill No. 61, "An Act authorizing a State loan and levying a tax to provide means for the payment thereof."

Read the first time; rules suspended; read second time by title, and referred to Committee on Ways and Means, with instructions to print.

Assembly Bill No. 62: An Act to amend an Act entitled "An Act to redistrict the State of Nevada."

Introduced by Mr. Garaghan; read the first time; rules suspended; read second time by title, and referred to Lincoln County delegation.

Mr. Garaghan introduced Assembly Bill No. 63: An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections."

Read the first time; rules suspended; read second time by title, and referred to Committee on Elections, with instructions to print.

Mr. Williams introduced Assembly Bill No. 64: "An Act to amend section 58 of the Revenue Act."

Read the first time; rules suspended; read second time by title, and ordered printed.

Mr. Beck introduced Assembly Bill No. 65: "An Act in relation to Public Highways."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements, with instructions to print.

Mr. Beck introduced Assembly Bill No. 66: "An Act concerning terms of Court in the several Judicial Districts of this State."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

THIRD READING OF BILLS.

Assembly Bill No. 13: "An Act to repeal certain parts of an Act entitled an Act to provide revenue for the support of the government of the State of Nevada."

Read the third time, and the bill indefinitely postponed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Piper, Rogers, Savage, Saville, Simpson, Smith, Williams, Mr. Speaker—33.

NAYS—Messrs. Fuller, Jones, Murphy, Organ, Patchen, Tennant, Trousdale, Wagner, Willard—9.

Absent—Messrs. Buckingham, Likens, Potter and Roney.

Assembly Bill No. 42: An Act to amend an Act entitled "An Act to define and establish the boundary line between the counties of Nye, Churchill and Esmeralda."

Read the third time.

Mr. Bowman moved to re-refer the bill to a select committee, composed of Messrs. Garaghan, Trousdale, Willard and Likens.

Mr. Manning moved to indefinitely postpone the bill.

Motion lost.

Mr. Burlingame moved that the bill be made the special order for next Monday, at twelve o'clock.

Adopted.

Assembly Concurrent Resolution No. 48, relative to granting leave of absence to J. B. Fitch, Sheriff of Elko County.

Mr. Williams offered to amend by striking out a portion of the same amendment, accepted by Mr. Savage, and the resolution as amended was unanimously adopted.

Assembly Concurrent Resolution No. 21, calling a constitutional convention, passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Canavan, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Savage, Saville, Simpson, Tennant, Trousdale, Willard, Williams, Mr. Speaker—30.

NAYS—Messrs. Beck, Brown, Child, Dangberg, Hatch, Hay, Lawson, Patchen, Piper, Rogers, Smith, Wagner—12.

Absent—Messrs. Buckingham, Likens, Potter, Roney—4.

Mr. Burlingame gave notice that he would on to-morrow move to reconsider the vote by which the concurrent resolution passed.

On motion of Mr. Smith, at 1:10 o'clock, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—TWENTY-THIRD DAY.

TUESDAY, January 24, 1871.

Assembly met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. Absent—Messrs. Cowen and Potter.

Mr. Roney asked indefinite leave of absence. Granted.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 55, have had the same under consideration, and report the same back, with a recommendation that it be referred to the Committee on Education.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 52, have had the same under consideration, and beg leave to report the same back, and recommend that it do not pass.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Public Morals, to whom was referred Senate Bill No. 42, entitled "An Act to prevent the destruction of fish in the waters of Nevada," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

Respectfully,

W. A. TROUSDALE, Chairman.

E. L. BUCKINGHAM.

J. A. BURLINGAME.

Mr. Burlingame, pursuant to previous notice, moved the reconsideration of the vote by which the resolution calling a Constitutional Convention passed.

Roll called, with the following result:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Smith, Tennant, Wagner—33.

NAYS—Messrs. Garaghan, Gray, Greenhalgh, McClelan, Savage, Saville, Simpson, Trousdale, Willard, Williams, Mr. Speaker—11.

Absent—Messrs. Potter, Roney—2.

Mr. Burlingame moved the resolution be referred to a select committee of one from each county.

Carried.

By Mr. Owen:

Resolved, That the Sergeant-at-Arms be, and he is hereby ordered to furnish each and every member of this House with a printed copy of its standing rules.

Adopted.

By Mr. Burlingame:

Resolved, That the Sergeant-at-Arms be, and he is hereby instructed to procure one set of folding doors covered with green baize cloth, to be hung in the entrance to this room.

Adopted.

Mr. Delano introduced a joint memorial to Congress, in regard to Mongolian immigration.

Read and referred to Committee on Federal Relations, and ordered printed.

Assembly Concurrent Resolution No. 68, granting leave of absence to John Kane, Sheriff of Lincoln County, introduced by Mr. Garaghan.

Read first time.

Mr. Burlingame gave notice that he would, on some future day, ask leave to introduce a bill for an Act to amend an Act entitled "An Act to restrict gaming."

Mr. Bowman gives notice that he will, on some future day, ask leave to introduce a bill for an Act to provide for the manner in which all railroads within this State shall be assessed.

Mr. Garaghan asked leave to introduce, without previous notice, Assembly Bill No. 69, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

Mr. Simpson, pursuant to notice, introduced Assembly Bill No. 70, an Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

Mr. Rogers introduced Assembly Bill No. 71, "An Act to amend an Act entitled 'An Act to grant the right to construct a toll road from Virginia City to Truckee Meadows and Steamboat Valley, in Storey and Washoe Counties."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Corporations.

At 12 o'clock, M., House resolved itself into Committee of the Whole, Speaker *pro tem*, Tennant, in the chair.

At 12:45 P. M., Committee rose and reported as follows:

Mr. Speaker:

Your committee have had under consideration Assembly Bill No. 26, and recommend that it be engrossed and passed as amended by the Committee on Corporations; also, Assembly Bill No. 52, and recommend that it be made special order for the second Tuesday in February, 1871; also, Senate Bill No. 42, and recommend that it be re-referred, printed, and made the special order for the first Wednesday in February.

Mr. Hatch gives notice that he will, on to-morrow, or some future day, make a motion to change section 8 of Standing Rule No. 19 of this House.

Moved by Mr. Gray, that Senate Bill No. 6 be referred to a select committee, consisting of Messrs. Garraghan, Bowman, Trousdale, Willard, Likens and Gray.

Carried.

On motion of Mr. Murphy, the House adjourned at 12:55 P. M.

ROBT. E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk.

IN ASSEMBLY—TWENTY-FOURTH DAY.

WEDNESDAY, January 25th, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called—All present except Mr. Roney, absent on leave.

Prayer by the chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your Standing Committee on Elections, to whom was referred Assembly Bill No. 63, "An Act to amend an Act entitled 'An Act to provide

for the registration of the names of the electors, and to prevent fraud at elections,' approved March 5th, 1869," have had the same under consideration, and have instructed their chairman to report the bill back without amendment, and recommend its passage.

O. T. BARBER,
Chairman.

Mr. Speaker :

Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 65, "An Act in relation to public highways," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back, with the recommendation that it pass.

D. MURPHY,
Chairman.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 24th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 48, relative to granting leave of absence to J. B. Filch, Sheriff of Elko County, the same having been concurred in by the Senate on the 23d inst. by a unanimous vote.

Respectfully,

FRANK BUTLER,
Assistant Secretary Senate.

The following message was received from the honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 24th, 1871. }

To the Honorable the Assembly:-

I have the honor to herewith return to your honorable body Assembly Bill No. 25: "An Act authorizing the Secretary of the State to furnish certain parties with printed public documents, statutes and reports," with the following amendment:

Strike out the word "approval" at the end of section two, and insert the word "passage," which this day passed the Senate, as amended by the following vote: Yeas, 20; nays, 6.

I also herewith transmit for the consideration of your honorable body Assembly Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect or default," the same having this day passed the Senate by the following vote: Yeas, 20; nays, 0.

Also, Senate Bill No. 47: "An Act to provide for the payment of certain indebtedness of Humboldt County," which passed the Senate this day by the following vote: Yeas, 19; nay, 1.

Also, Senate Bill No. 59: "An Act to amend an Act entitled 'An Act to consolidate and pay certain indebtedness of the County of Ormsby, approved March 12, 1866,'" the same having this day passed the Senate by the following vote: Yeas, 19; nay, 0.

I also transmit for the reconsideration of your honorable body Senate Bill No. 7: "An Act to create Legislative Funds," together with the veto message from his Excellency the Governor, stating his objections to the

same; said bill having this day passed the Senate, notwithstanding the objections of the Governor by the following vote: Yeas, 16; nays, 5.

Respectfully,

F. BUTLER,
Assistant Secretary Senate.

The following message received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 23d, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State Assembly Bill No. 8, entitled "An Act to provide for the payment of the outstanding indebtedness of Treasure City, White Pine County."

L. R. BRADLEY,
Governor.

The Governor's veto message to Senate Bill No. 7, entitled "An Act to create Legislative Funds," was received and read as follows:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, January 24th, 1871. }

To the Honorable the Senate of Nevada:

I herewith return without approval the bill entitled "An Act to create Legislative Funds," which originated in your House, briefly stating my objections thereto.

I regard it as belonging to that class of legislation commonly denominated special, and, therefore, opposed to the letter and spirit of article four, section twenty-one, of the Constitution.

If a measure of that kind is necessary at all, a bill can be easily framed which will place all of the creditors of the State on the same footing. This bill, however, discriminates in favor of a limited number of those persons, making them preferred creditors; and postpone the payment of past obligations, which the State is in honor bound to satisfy for the purpose of first discharging the claims of members of one branch of the Government. Such legislation is not only unconstitutional, but unjust, and should be avoided.

In my judgment, that portion of the bill relating to the salaries of members of the Legislature, by indirection, increases their compensation during the term for which they have been elected, and is therefore in violation of the provisions of article four, section thirty-eight of the Constitution; and that part of it which makes provision for the incidental expenses of the Legislature conflicts with article five, section twenty-one of the Constitution.

It is not questioned that the effect of the bill is to add some \$10,000 or \$12,000 to the liabilities of the State on account of the salaries of members of the present Legislature, nor can it be denied that they will be the recipients of a corresponding benefit. As a consequence, should it become a law, members of the Legislature will be adding to their compensation during the term for which they have been elected, which, as before stated, is prohibited by the Constitution.

All readily admit that the addition directly of any sum whatever to the per diem of members of the Legislature, by action of the two Houses

interested, is a violation of the Constitution. I think it equally a violation of that instrument to reach the same, and by any other means, however indirect.

The last clause of article five, section two, of the Constitution, expressly declares that no claim against the State (except salaries or compensation of officers fixed by law,) should be passed upon by the Legislature without having been considered and acted upon by the Board of Examiners.

The bill expressly sets apart nine thousand dollars to be used by the Sergeant-at-Arms of the two Houses to be paid out as directed by resolution of those bodies. Justice to the members of the Legislature demands the presumption that they will not order any portion of the money mentioned to be paid out, except in the discharge of just claims held by other parties, nor can we presume that they will order the payment of claims held against themselves or their Sergeant-at-Arms. In a word, it is only fair and reasonable to suppose that orders will be confined to the payment of claims properly chargeable to, and payable by the State; and if such claims only are to be paid out of that fund, then it is clear that before the payment can constitutionally be ordered by the Legislature, they must be acted upon by the Board of Examiners.

I am aware that my conclusions upon the subject under consideration differ from those of the Supreme Court, as represented in *Ash vs. Parkinson*, 5 Nevada Reports.

On questions of Constitutional law, I will at all times, when I can conscientiously do so, take pleasure in being guided by the judiciary, but when their reasoning fails to convince my judgment of the correctness of their conclusions, duty, and my official oath require that I follow the dictates of my own conscience.

Our Government is divided into three independent departments; the officers in each take the same oath; neither swears to support the Constitution as construed by the others, but each declares, in effect that he will do so to the best of his ability, as dictated by his judgment and conscience.

During my term of office, I shall endeavor to comply with the obligations which I assumed at the beginning. I cannot do so by following advice which my judgment repudiates.

In conclusion, allow me to add, that I stand pledged to the people of this State to observe the strictest economy possible in the administration of the office of Governor.

It is my purpose to fulfill the pledge to the best of my ability.

Very respectfully submitted,

L. R. BRADLEY,
Governor.

Mr. Savage moved that the further consideration of the veto message of the Governor be made a special order for the first Monday in February, at twelve o'clock m.

Lost by the following vote:

YEAS—Messrs Child, Cowen, Danberg, Ellyson, Greenhalgh, Jones, Manning, McClelan, McLeod, Murphy, Savage, Simpson, Trousdale, Willard, Williams, Mr. Speaker—16.

NAYS—Messrs, Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Fuller, Garaghan, Gray, Harris, Halch, Hay, Hogan, Lawson, Likens, Lockwood, Owen, Organ, Patchen, Piper, Potter, Rogers, Saville, Smith, Tennant, Wagner—29.

Absent—Mr. Roney.

Mr. Bowman moved to take up the veto message now, and dispose of it.

Carried.

The question being: Shall the bill become a law, notwithstanding the objections of the Governor? was lost by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClellan, Owen, Patchen, Piper, Rogers, Roney, Saville, Smith, Willard—27.

NAYS—Messrs. Beck, Child, Cowen, Dangberg, Garaghan, Greenhalgh, Jones, Manning, McLeod, Murphy, Organ, Potter, Savage, Simpson, Tennant, Trousdale, Wagner, Williams—Mr. Speaker—19.

Mr. Potter gave notice that he would, on to-morrow, move to reconsider the vote by which the Governor's veto was sustained.

Mr. Tennant gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to exempt mineral and fossil specimen cabinets from taxation and sale under execution."

Mr. Bowman gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to tax and regulate foreign insurance companies doing business in this State," and to repeal an Act entitled "An Act to tax and regulate foreign insurance companies doing business in this State, approved March 5th, 1869."

On motion of Mr. Bowman, at 1:10 o'clock p. m., the House adjourned.

ROBT. E. LOWERY,
Speaker.

Attest :

G. W. CASSIDY, Clerk.

IN ASSEMBLY—TWENTY-FIFTH DAY.

THURSDAY, January 26th, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called—All present.

Prayer by the chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 26, "An Act relating to certificates of incorporations and articles of association," and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Speaker :

Your Standing Committee on Claims, to whom was referred Assembly Bill No. 30, "An Act to audit and allow the claim of A. C. Ellis for

Attorneys fees in prosecuting the suit of the State of Nevada vs. Henry Rhodes, administrator of the estate of E. Rhoades," beg leave to report the bill back, with the recommendation that it pass as amended.

JOHN S. CHILD,
Chairman.

Mr. Speaker :

The Standing Committee on State Institutions, to which was referred Assembly Bill No. 70, having had the same under consideration, herewith transmit the same back to your honorable body with the following amendments : At the end of section one insert "the compensation of the Deputy Warden shall not exceed \$1,200 per annum ; the compensation of the Captain of the Guard shall not exceed \$1,000 per annum, and the compensation of no other officer or person employed shall exceed \$800 per annum." With these amendments we would recommend its passage.

Respectfully,

J. M. GRAY,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 60, have had the same under consideration, beg leave to report the same back, with the recommendation that the usual number of copies be printed, and that the bill do pass with the amendments herewith submitted.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 61, have had the same under consideration, beg leave to report the same back, with the recommendation that the usual number of copies be printed, and that the bill do pass with the amendments herewith submitted.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr Speaker :

Your select committee, to whom was referred substitute for Senate Bill No. 6, having had the same under consideration, recommend the substitution of the word "unpaid" for the word "repaid," which occurs in the twenty-fifth line of said bill, report the bill back to the House, recommend that it do pass without further amendment.

M. B. GARAGHAN,
Chairman.

JOHN BOWMAN,
G. W. LIKENS,
J. M. GRAY,
H. A. WILLARD,

Mr. Greenhalgh gives notice that he will, at some early day, ask leave to introduce a bill to repeal that portion of the registry law that requires the payment of a poll tax for the right of voting.

Senate Bill No. 47: "An Act to provide for the payment of certain indebtedness of Humboldt County."

Read the first time; rules suspended; read the second time by title, and referred to Humboldt delegation.

Senate Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect or default."

Read the first time; rules suspended; read second time, by title, and referred to Committee on Public Morals.

Assembly Concurrent Resolution granting leave of absence to John Kane, Sheriff of Lincoln County.

Read the second time.

Mr. Bowman introduced Assembly Bill No. 77: "An Act to provide for the manner in which all railroads traversing through, or may hereafter be constructed within the limits of this State, shall be assessed."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements, with instructions to print.

Senate Bill No. 59, introduced from the Senate.

Read the first time; rules suspended; read the second time by title, and referred to Ormsby County delegation.

Mr. Beck introduced Assembly Bill No. 76: "An Act relating to accounts with the State."

Read the first time.

Pursuant to notice, Mr. Potter moved the reconsideration of the vote by which the Governor's veto was on yesterday sustained.

Motion carried by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClellan, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard—31.

NAYS—Messrs. Beck, Child, Cowen, Dangberg, Greenhalgh, Jones, Manning, McLeod, Murphy, Savage, Simpson, Trousdale, Wagner, Williams, Mr. Speaker—15.

The final vote was then taken, with the following result:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClellan, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard—30.

NAYS—Messrs. Beck, Child, Cowen, Dangberg, Garaghan, Greenhalgh, Jones, Manning, McLeod, Murphy, Savage, Simpson, Trousdale, Wagner, Williams, Mr. Speaker—16.

Mr. Brown moved that the announcement of the vote be postponed until next Monday.

Carried.

At 1 o'clock p.m. Mr. Tennant moved that the House take a recess for one hour.

Carried.

AFTERNOON SESSION.

House reassembled at 2 o'clock p.m.; Mr. Speaker in the chair.

Roll called; quorum present.

Mr. Potter asked leave of absence for Mr. Piper for the remainder of the day.

Granted.

By Mr. Tennant:

Resolved, by the Assembly, the Senate concurring, that the Sergeant-at-Arms of the Assembly and Senate, respectively be, and they are hereby each required forthwith, to execute a bond to the State of Nevada, in the penal sum of ten thousand dollars in United States gold coin, with two sufficient sureties to be approved by the Governor, to the effect that they will safely keep and preserve all moneys that may come into their hands out of the contingent fund created by an Act entitled "An Act to create Legislative Funds," and pay the same out only upon resolution of their respective Houses. Upon the approval of said bonds the Governor shall file the same with the State Controller, and report such action to the Legislature.

Adopted.

Special order of business being in order, substitute for Assembly Bill No. 24 was taken up and read.

Mr. Burlingame moved that the House go into Committee of the Whole for the consideration of special order.

At 2:30 p. m. House resolved itself into Committee of the Whole, Mr. Williams in the chair.

At 3:15 the Committee of the Whole rose and reported as follows:

Mr. Speaker :

Your Committee of the Whole have had under consideration substitute for Assembly Bill No. 24, and report the same back to the House, without amendment, and recommend that it do pass.

Report concurred in and bill ordered engrossed.

On motion of Mr. Lockwood, House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—TWENTY-SIXTH DAY.

FRIDAY, January 27, 1871.

Assembly met pursuant to adjournment. Mr. Speaker Lowery in the chair.

Roll called. All present except Mr. Trousdale.

Mr. Hay asked leave of absence for Mr. Piper for one day. Leave granted.

Mr. Jones asked leave of absence for Mr. Trousdale until Wednesday next. Leave refused.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

The Standing Committee on Internal Improvements made the following report:

Mr. Speaker :

Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 46: "An Act to encourage the building of rail-

roads in the State of Nevada," beg leave to report that they have had the same under consideration, and have directed their Chairman to report the same back, with the recommendation that it do not pass.

D. MURPHY,
Chairman.

Mr. Speaker:

The undersigned, the Chairman of your Standing Committee on Internal Improvements, respectfully makes the following minority report on Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, Geo. S. Dodge, and others, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln." I have carefully examined the same, and herewith transmit the same back to your honorable body, with the recommendation that it pass as amended.

D. MURPHY.
Chairman Committee on Internal Improvements.

Mr. Speaker:

The majority of your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 54, entitled "An Act to grant the right of way to A. L. Page, I. C. Bateman, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln," beg leave to report herewith the fact that they have come to an unfavorable conclusion thereon, and hereby recommend that the bill do not pass.

H. H. BECK.
JOHN WAGNER.
D. C. SIMPSON.

Mr. Lockwood, from special committee composed of the Ormsby County delegation, made the following report:

Mr. Speaker:

Your special committee composed of the Ormsby County delegation, to which was referred Senate Bill No. 59: "An Act to amend an Act entitled an Act to consolidate and pay certain indebtedness of Ormsby County, approved March 12th, 1866," have had the same under consideration, and beg leave to report the same back, with the recommendation that it do pass.

Mr. Patchen gave notice that he would, on to-morrow, introduce a resolution amending the standing rule of this House, No. 66.

On motion of Mr. Hogan, the Speaker appointed Messrs. Hogan and Burlingame a select committee to inquire into the report of Board of State Capitol Commissioners.

By Mr. Williams:

Resolved, That the Committee on State Institutions be and are hereby instructed to ascertain whether the insane of this State can be longer kept at Stockton, and if so, upon what terms.

Adopted.

Mr. Tennant gave notice that on to-morrow he would move to create a new committee in relation to railroads.

Mr. Williams gave notice that on to-morrow he would move to strike out Standing Rule No. 73.

The following message was received from the honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 25th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly Bill No. 6: "An Act to amend an Act entitled an Act concerning compensation of Jurors, approved March 5th, 1869," with the following amendments: In line nine, after the word "Court," insert, "whether excused or not;" in lines ten and eleven, strike out the words, "the Board of County Commissioners shall audit and allow," and insert in lieu thereof the words, "the Auditor shall draw his warrant on the Treasurer for;" also, in line sixteen, strike out the word "claim," and insert in lieu thereof the words, "per diem;" also, the following additional section: "Section Two. All Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed." The above bill having this day passed the Senate as amended by the following vote: Yeas, 17; nays, 4.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

Mr. Barber gives notice that he will, on some future day, ask leave to introduce a bill for an Act to have laborers' wages in all branches of business in this State operate as a lien upon such business in preference to all other creditors in cases of attachment.

SECOND READING OF BILLS.

Speaker *pro tem.* in the chair:

Assembly Bill No. 76: "An Act relating to accounts with the State."

Read the second time, and referred to Committee on State Institutions.

Mr. Tennant introduced an Act to amend section two hundred and twenty-one of an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State, and to repeal all other acts in relation thereto."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee, with instructions to print.

Mr. Hatch introduced Assembly Bill No. 80: "An Act to protect ranchmen, cattle dealers and butchers."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Agriculture, and ordered printed.

Mr. Wagner introduced Assembly Bill No. 81: "An Act to amend an Act entitled 'An Act to provide for the support of the government of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

Mr. Beck introduced Assembly Bill No. 82: "An Act to provide for the preservation of the manuscript laws."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on State Library, with instructions to report probable cost of the work contemplated, and ordered printed.

The following communication was received from the Secretary of State :

To the Honorable the Assembly :

GENTLEMEN : I have the honor to refer herewith to your honorable body, a proposed amendment to the Constitution of the State of Nevada, which passed the Assembly and Senate at the last session of the Legislature.

Very respectfully,

J. D. MINOR,
Secretary of State.

On motion of Mr. Williams the communication from the Secretary of State was made the special order for to-morrow, at 2 o'clock.

Carried.

On motion of Mr. Gray, at 12:45 p. m., the House went into Committee of the Whole for the consideration of business on general file.

Mr. Beck in the chair.

At 1:30 p. m., Committee of the Whole rose and reported as follows :

Mr. Speaker :

Your Committee of the Whole have had under consideration Assembly Bill No. 30, and report it back, and recommend that it be re-referred to Committee on Claims, with instructions to perfect the title of same ; also, Assembly Bill No. 70, and report it back with the recommendation that it be printed ; also, substitute for Senate Bill No. 6, and report it back with the recommendation that it be laid on the table temporarily ; also, Concurrent Resolution No. 68, and report it back and recommend its passage without amendments ; also, Assembly Bill No. 25, report it back and recommend that the House concur in Senate amendments.

Report adopted.

By Mr. Garaghan :

Resolved, That it is the sense of this House that the member from Washoe, Mr. Hatch, is fully absolved from any and all obligation, in regard to any compact or agreement made with the member from Humboldt, Mr. Trousdale, in the matter of the pending vote on Senate Bill No. 7.

Mr. Patchen offered the following resolution :

WHEREAS, This House, by its vote, has made the communication of the Secretary of State, in reference to woman suffrage, the special order for to-morrow, at 2 o'clock, p. m.; and, *Whereas*, numbers of the members of this body greatly need information upon that subject: therefore be it

Resolved, That Miss Laura DeForce Gordon be invited to a seat upon the floor of this House, and address the body upon the subject of woman suffrage.

Pending which, on motion of Mr. Bowman, the House adjourned at 2:35 p. m.

Attest :

G. W. CASSIDY, Clerk Assembly.

ROBERT E. LOWERY,
Speaker.

IN ASSEMBLY—TWENTY-SEVENTH DAY.

SATURDAY, January 28, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called.

Absent—Mr. Trousdale.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

The following message were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
 CARSON CITY, January 27th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body Senate Bill No. 55: "An Act to amend an Act entitled 'An Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada,' approved November 26, 1861."

Also, Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the Laws of the Territory of Nevada."

The above bills have this day passed the Senate.

Respectfully, etc.,

CHAS. F. BICKNELL,
 Secretary of Senate.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
 CARSON CITY, January 26th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 69, relative to appointing a committee to attend a meeting to be holden at Sacramento, California, on the 30th day of January, 1871; also, Senate Concurrent Resolution No. 70, relative to printing the reports of the Treasurer and Controller, and the distribution of the same; also, Senate Concurrent Resolution No. 71, relative to printing rules and joint rules of the Senate and Assembly, all of which have this day passed the Senate by a unanimous vote. I am also directed to return to your honorable body Assembly Bill No. 2: "An Act to amend section two of an Act entitled 'An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto, approved March 22, 1865,' approved March 9, 1866," together with substitute for Senate substitute therefor, entitled "An Act to promote the building of railroads in the State of Nevada," which last named bill has this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Respectfully,

F. BUTLER,
 Assistant Secretary Senate.

The following message was received from the Honorable the Senate:

CARSON CITY, }
January 27th, 1871. }

To the Honorable the Assembly :

I have the honor to return your honorable body Assembly Concurrent Resolution No. 78, relative to the Sergeant-at-Arms of the Senate and Assembly filing bonds.

Respectfully,
CHAS. F. BICKNELL,
Secretary of Senate.

The following Concurrent Resolution received from the Senate:

Resolved, by the Senate, the Assembly concurring, that a committee of one from the Senate and two from the Assembly be appointed, with instructions to attend the meeting to be held at Sacramento, California, on the 30th inst., for the purpose of organizing a Miners' Protective Union, the same being in pursuance of invitation.

At 11:25 A.M., on motion of Mr. Burlingame, House went into Committee of the Whole, for the purpose of considering Senate Concurrent Resolution No. 69, in relation to appointing a committee to attend the organization of a Protective Miners' Union at Sacramento.

At 11:35 Committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole having had under consideration Senate Concurrent Resolution No. 69, report the same back to the House, and recommend its passage.

Mr. Bowman moved that the resolution be placed upon its third reading and final passage.

Agreed to.

The resolution was read, when Mr. Lockwood moved to amend by striking out the word "appointed," and insert the word "elect" in lieu thereof.

The Speaker appointed Mr. Lockwood as a special committee of one to amend the resolution.

Mr. Bowman moved that the whole subject matter be indefinitely postponed.

Carried.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 28th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 77, relative to printing the report of the Surveyor-General and State Land Register, the same having this day passed the Senate by a unanimous vote.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Mr. Lowery gives notice that he will, at some future day, introduce a bill entitled "An Act to promote the introduction and use of steam power, for transportation purposes, on common roads in the State of Nevada."

Pursuant to notice, the resolution offered by Mr. Tennant, on yesterday, in relation to creating a standing committee on railroads, was, on motion, indefinitely postponed:

Mr. Beck asked leave to introduce, without previous notice, Assembly Bill No. 83, "An Act relating to the care and custody of minor children in certain cases."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Mr. Tennant asked leave to introduce, without previous notice, "An Act entitled An Act for the relief of James Leffingwell."

Read the first time; rules suspended; read the second time by title, and referred to the Lander delegation.

At 12:45, on motion of Mr. Williams, the House took a recess for one hour.

AFTERNOON SESSION.

House met at 1:45 p. m.

Speaker Lowery in the chair.

Roll called—Quorum present.

88 of the laws passed at the 1869 session."

Mr. Beck introduced Assembly Bill No. 84: "An Act to repeal Chapter

Read the first time; rules suspended; read the second time by title, and referred to Washoe delegation.

By Mr. Brown:

Resolved, That the Assembly do hereby tender to Mrs. Laura DeForce Gordon the use of the Assembly Chamber on Wednesday evening, at 7½ o'clock, for the purpose of lecturing on any subject she may deem proper.

Adopted.

Mr. Tennant in the chair.

Special order for 2 o'clock p. m., was, on motion, temporarily laid on the table.

At 2:05 p. m., on motion of Mr. Bowman, the House went into Committee of the Whole for the consideration of general file, Mr. Beck in the chair.

At 2:35 Committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 65, entitled "An Act in relation to public highways," and report the same back, with the recommendation that it be laid on the table temporarily; also, substitute to Assembly Bill No. 9, "An Act to amend an Act entitled 'An Act prescribing rules and regulations for the execution of trust arising under the Act of Congress entitled 'An Act for the relief of the inhabitants of cities and towns on public lands, approved March 2d, 1867; approved February 20th, 1869,'" and report the same back, with the recommendation that it be considered engrossed and passed; also, Assembly Bill No. 64, entitled "An Act to provide revenue for the

State of Nevada," and recommend that it be referred to Committee on Ways and Means.

Adopted.

Mr. Organ asked indefinite leave of absence.

Refused.

THIRD READING OF BILLS.

Assembly Bill No. 9: "An Act to amend an Act entitled 'An Act prescribing rules and regulations for the execution of trust arising under the Act of Congress entitled An Act for the relief of cities and towns on public lands;'" substitute as reported by the Judiciary Committee read the third time and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams.—38.

NAYS—Mr. Organ.

Absent—Messrs. Buckingham, Canavan, Patchen, Potter, Smith, Trousdale, Mr. Speaker—7.

Assembly Bill No. 6: "An Act to amend an Act entitled 'An Act concerning compensation of jurors.'"

Read the third time, and Senate amendment No. 1 not concurred in.

On motion of Mr. Lockwood the House adjourned at 3:30 P. M.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—TWENTY-NINTH DAY.

MONDAY, January 30, 1871.

Assembly met pursuant to adjournment. Speaker Lowery in the chair. Roll called. All present except Mr. Trousdale.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of Saturday read and approved.

Mr. Brown moved that the announcement of the vote on the Governor's veto be postponed until Monday, February 6th, at twelve o'clock M.

Mr. Burlingame moved a call of the House. Roll called; absent—Messrs. Lockwood and Trousdale.

Mr. Speaker instructed the Sergeant-at-Arms to arrest and bring into the House the absentees.

Mr. Lockwood was brought into the House, gave a reasonable excuse for being absent, and, on motion, was admitted to his seat without fine.

Mr. Organ moved to adjourn.

Lost.

Mr. Organ moved that further proceedings under the call be suspended.
Lost.

Mr. Bowman asked leave of absence for a few minutes. Leave granted.

Mr. Beck moved that further proceedings under the call be dispensed with.

Agreed to by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams, Mr. Speaker—41.

NAYS—Messrs. Bowman, Brown, Owen, Smith—4.

Absent—Mr. Trousdale—1.

The question recurring upon the motion of Mr. Brown, that the announcement of the vote on the Governor's veto to the Senate Bill No. 7: "An Act to create Legislative Funds," be postponed until Monday, February 6th, at twelve o'clock m.

Agreed to by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Fuller, Gray, Harris, Hay, Hogan, Lawson, Likens, Lockwood, Patchen, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard—23.

NAYS—Messrs. Beck, Buckingham, Child, Cowen, Dangberg, Ellyson, Garaghan, Greenhalgh, Jones, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Savage, Simpson, Wagner, Williams, Mr. Speaker—21.

Absent—Messrs. Hatch, Trousdale—2.

House took up Assembly Bill No. 42, an Act to amend an Act entitled "An Act to define and establish the boundary line between the counties of Nye, Churchill and Esmeralda."

Mr. Bowman moved that the House resolve itself into Committee of the Whole for the consideration of special order. Speaker *pro tem.* in the chair.

At 1:50 p. m. Committee rose and reported as follows:

Mr. Speaker :

Your Committee of the Whole have had under consideration Assembly Bill No. 42: "An Act to amend an Act entitled an Act to define and establish the boundary line between the counties of Nye, Churchill and Esmeralda," and report the same back, and recommend that it be referred to a select committee consisting of disinterested parties.

Report received.

At 1:55 p. m., on motion of Mr. Burlingame, the House took a recess for one hour.

At 2:55 p. m. House in session.

Roll called. Quorum present.

Mr. Bowman moved that the report of the Committee of the Whole be adopted. Agreed to.

Mr. Bowman stated that the two delegations had agreed on two of the committee to which was referred Assembly Bill No. 42: "An Act to

amend an Act to define and establish the boundary line between the counties of Nye, Churchill and Esmeralda," Messrs. Williams and Lockwood.

The Speaker appointed Mr. Cowen to fill said committee.

Mr. Williams moved that the House resolve itself into Committee of the Whole, for the consideration of general file and unfinished business. Speaker *pro tem.* in the chair.

In time, Committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 59: "An Act to amend an Act to consolidate and pay certain indebtedness of Ormsby County," report it back with the recommendation that it pass; also, that Assembly Bills Nos. 54 and 46 be temporarily laid on the table; also, Assembly Bill No. 60: "An Act authorizing a State loan for the purpose of meeting the indebtedness of the Territory of Nevada," report it back with amendments, report progress, and asks leave to consider it another time.

Report adopted.

The following messages were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 30th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 82, relative to granting leave of absence to N. H. Westfall, Sheriff of Humboldt County; also, Senate Concurrent Resolution No. 83, relative to granting leave of absence to John Kane, Sheriff of Lincoln County, both of which have this day passed the Senate by a unanimous vote.

Respectfully,
FRANK BUTLER,
Assistant Secretary Senate.

STATE OF NEVADA, SENATE CHAMBER }
CARSON CITY, January 28th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit to your honorable body for your consideration, substitute for Senate Bill No. 62: "An Act to reduce fees of county clerks for naturalization of foreigners," the same having this day passed the Senate by the following vote: Yeas, 22; nays, 0.

Respectfully,
F. BUTLER,
Assistant Secretary Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 30th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit to your honorable body, for its consideration, Senate Bill No. 66: "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," the same having this day passed the Senate by the following vote: Yeas, 23; nays, 0.

Also, Senate Bill No. 67: "An Act to authorize a State loan, for the purpose of paying the State proportion of the bonds outstanding under

the Act approved February 6, 1867, and to fund the floating debt, and to place the State upon a permanent cash basis," the same having this day passed the Senate by the following vote: Yeas, 22; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

Senate Bill No. 66: "An Act authorizing a State loan and levying a tax to provide means for the payment thereof."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 67: "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6, 1867."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 55: "An Act to amend an Act entitled 'An Act to regulate proceedings in criminal cases in Courts of Justice in the Territory of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the Laws of the Territory of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Library.

Senate Bill No. 59: "An Act to amend an Act entitled an Act to consolidate and pay certain indebtedness of the County of Ormsby."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—0.

Absent—Messrs. Buckingham, Brown, Garaghan, Hogan, Lawson, Patchen, Trousdale—7.

Mr. Tennant gives notice that on to-morrow he will introduce a resolution to change the standing rules, as to the hour of meeting, and Speaker to state condition of general file, pending the motion to adjourn.

Assembly Bill No. 6: "An Act to amend an Act concerning compensation of jurors."

Senate amendment in No. 2, in lines ten and eleven, strike out the words "the Board of County Commissioners shall audit and allow," and insert in lieu thereof the words "the Auditor shall draw his warrant on the Treasurer for," concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Potter, Rogers, Simpson, Smith, Tennant, Wagner, Willard, Williams, Mr. Speaker—37.

NAYS—Mr. Roney.

Absent—Messrs. Buckingham, Brown, Ellyson, Hogan, Lawson, Patchen, Savage, Saville, Trousdale—9.

Senate Amendments Nos. 3 and 4: No. 3, in line sixteen; strike out the word "claim," and insert in lieu thereof the words "per diem." No. 4, section two, "all Acts and parts of Acts in conflict with the provisions of this Act are hereby repealed."

Concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Garaghan, Greenhalgh, Harris, Hatch, Hay, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Rogers, Roney, Simpson, Smith, Wagner, Willard, Williams, Mr. Speaker—33.

NAY—0.

Absent—Messrs. Buckingham, Brown, Ellyson, Fuller, Gray, Hogan, Lawson, Patchen, Potter, Savage, Saville, Tennant, Trousdale—13.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared substitute for Assembly Bill No. 24: "An Act to amend an Act entitled an Act providing for the removal of county seats and the permanent location of the same, approved March 2d, 1867," and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

At 5:20 P. M., on motion of Mr. Murphy, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:
G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTIETH DAY.

TUESDAY, January 31, 1871.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll called. Absent—Messrs. Buckingham and Trousdale.

Mr. Smith asked leave of absence for Mr. Buckingham for one day. Leave granted.

Journal of yesterday read and approved.

Petition from the Sisters of Charity of Virginia City received, read, and on motion of Mr. Hay, was referred to the Committee on State Institutions.

Mr. Tennant, pursuant to notice, offered the following resolution:

Resolved, That hereafter the regular hour of meeting of the Assembly shall be ten o'clock A. M.

Mr. Owen offered to amend by inserting 10:30.

Amendment accepted and resolution adopted as amended.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 56, have had the same under consideration, beg leave to report the same back without recommendation.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means have had under consideration Assembly Bill No. 69, and report the same back and recommend its passage.

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 64, have had the same under consideration, beg leave to report the same back with a recommendation that it do pass, and be printed with the following amendments: In section one, class two, line six, after the word "month," strike out the word "fifty," and insert in lieu thereof, "one;" in line eight, after the word "months," strike out the word "one," and insert in lieu thereof, "two;" in line ten, after the word "year," strike out the word "four," and insert in lieu thereof the word "six."

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Delano gives notice that he will, on some future day, ask leave to introduce concurrent resolutions in relation to the establishment of a weekly mail service from Wadsworth, in Washoe County, Nevada, *via* Walker River, Road's Salt Marsh, Columbus, Silver Peak, Palmetto, Fish Lake, Esmeralda County, Nevada, to Fort Independence, Inyo County, California.

Mr. McClelan gives notice that he will, on some future day, introduce a joint memorial instructing our Senators and requesting our member of Congress to ask for a mail route from Wadsworth *via* Ellsworth to Belmont.

Mr. Tennant gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act to reapportion Senators and Assemblymen in this State as per United States census of 1870."

Mr. Beck gives notice that he will, on some future day, ask leave to introduce a bill for an Act to grant certain parties the right to construct a narrow gauge railroad from Carson City, by way of Franktown and Washoe City, to some point on the Central Pacific Railway.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 29, have had the same under consideration, beg leave to report back the annexed substitute, and recommend that said substitute do pass, and that the usual number of copies be printed.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your special committee, composed of the Washoe delegation, to whom was referred Assembly Bill No. 85, entitled "An Act to repeal chapter eighty-eight of the laws passed at the 1869 session," beg leave to report that they have agreed to report the same back to the House, with the recommendation that it pass without amendment.

H. H. BECK,	} Washoe Delegation.
A. J. HATCH,	
H. H. HOGAN,	

Mr. Burlingame, pursuant to previous notice, introduced Assembly Bill No. 96: "An Act to create legislative funds."

Read first time.

Mr. Burlingame moved that the rules be suspended and bill read second time by title, and be referred to Committee of the Whole.

Agreed to by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClelan, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard—31.

NAYS—Messrs. Child, Cowen, Dangberg, Greenhalgh, Jones, Manning, McLeod, Murphy, Savage, Simpson, Wagner, Williams, Mr. Speaker—13.

Absent—Messrs. Buckingham and Trousdale.

Mr. Owen, without notice, introduced Assembly Bill No. 97: "An Act to amend section sixth of an Act entitled 'An Act to regulate fees and compensation for official services in the State of Nevada.'"

Read the first time; rules suspended; read second time by title, and referred to Judiciary Committee.

Mr. Lowery, pursuant to previous notice, introduced Assembly Bill No. 98: "An Act to promote the introduction and use of steam power, for transportation purposes, on common roads in this State."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements, with instructions to print.

Assembly Bill No. 26: "An Act relating to certificates of association."

Read third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Brown, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams, Mr. Speaker—41.

NAYS—Mr. Potter.

Absent—Messrs. Buckingham, Gray, Smith, Trousdale—4.

Assembly Bill No. 25: "An Act entitled 'An Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports to certain parties therein named.'"

Received from the Senate, amended, and concurred in by the House, with the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan,

Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garrghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Wagner, Mr. Speaker—39.

YEAS—Messrs. Cowen, Willard, Williams—3.

Absent—Messrs. Buckingham, Gray, Smith, Trousdale—4.

Substitute for Assembly Bill No. 24: "An Act to amend an Act entitled 'An Act providing for the removal of county seats, and the permanent location of the same.'"

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams, Mr. Speaker—37.

NAYS—Messrs. Dangberg, Greenhalgh, Harris, Organ, Patchen—5.

Absent—Messrs. Buckingham, Gray, Smith, Trousdale—4.

At 12:45 P. M., Mr. Barber moved that the House take a recess for one hour.

AFTERNOON SESSION.

Assembly met at 1:45 o'clock. Speaker in the chair.

Roll called; quorum present.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 31st, 1871. }

To the Honorable the Assembly;

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 85, relative to the employment of Chinese in the U. S. Branch Mint at Carson City, the same having passed the Senate this day by the following vote—Yeas, 15; nays, 7.

Also, Senate Concurrent Resolution No. 86, relative to Warden of the State Prison making requisition for furniture, etc., the same having passed the Senate this day by the following vote—Yeas, 17; nays, 3.

Respectfully,

CHAS. F. BICKNELL,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, January 31st, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body substitute for Senate Bill No. 12: "An Act to provide for the taxation of the net proceeds of mines," which passed the Senate on the thirtieth instant by the following vote: Yeas, 16; nays, 6.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Substitute for Senate Bill No. 12: "An Act providing for the taxation of the net proceeds of mines," introduced from the Senate.

Read the first time; rules suspended; read the second time, and referred to Committee on Mines and Mining Interests, and the Committee on Ways and Means.

Senate Concurrent Resolution No. 85, relative to the employment of Chinese in the United States Branch Mint, Carson City, Nevada, introduced from the Senate, and referred to the Committee on Federal Relations.

Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, George S. Dodge, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln," taken from the table, and referred to Committee on Internal Improvements.

At 2:20 P.M., on motion of Mr. Williams, the House resolved itself into Committee of the Whole, for the purpose of considering business on general file.

Mr. Tennant in the chair.

In time, committee rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bills Nos. 60 and 61, and report the same back, and recommend that they be made the special order for to-morrow at twelve o'clock M.

Also, Assembly Bill No. 96: "An Act to create a Legislative fund," and report the same back, and recommend that the rules be suspended, and the bill placed upon its third reading and final passage.

Also, Senate Substitute for Assembly Bill No. 2: "An Act to amend section two of an Act in relation to incorporation of railroad companies," and report the same back to the House, and recommend that the substitute be not concurred in.

Also, Senate Concurrent Resolution No. 70, report the same back, and recommend that it be concurred in.

Also, Senate Concurrent Resolution No. 71, and recommend that it be concurred in.

Also, Senate Concurrent Resolution No. 77, and report the same back, and recommend that it be concurred in.

Also, Senate Concurrent Resolution No. 82, and recommend that it be referred to the Humboldt delegation.

Also, Senate Concurrent Resolution No. 83, and report the same back, and recommend that it be referred to the Lincoln County delegation.

Also, Assembly Bill No. 70: An Act to amend "An Act in relation to the government of the State Prison," and report the same back, and recommend that section six be stricken out; and, when so amended, it be considered engrossed, and placed on its third reading and final passage.

Report adopted.

Assembly Bill No. 96: "An Act to create Legislative funds."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClelan, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard, Williams—32.

NAYS—Messrs. Child, Cowen, Dangberg, Greenhalgh, Jones, Manning, McLeod, Murphy, Savage, Simpson, Wagner, Mr. Speaker—12.

Absent—Messrs. Buckingham and Trousdale.

Mr. Williams gave notice that he would, on to-morrow, move to reconsider the vote by which the Legislative Fund Bill passed.

Mr. Lockwood moved that the rules be suspended, and that the House do now reconsider the vote.

Mr. Speaker ruled Mr. Lockwood's motion out of order.

An appeal from the decision of the chair was taken, and the appeal sustained.

The original motion lost by the following vote:

YEAS—Messrs. Barber, Beck, Burlingame, Cowen, Fuller, Gray, Harris, Hatch, Lawson, Lockwood, McLeod, Patchen, Wagner—13.

NAYS—Messrs. Bowman, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Greenhalgh, Hay, Hogan, Jones, Likens, Manning, McClelan, Murphy, Organ, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Willard, Williams, Mr. Speaker—29.

Absent—Messrs. Buckingham, Owen, Piper, Trousdale—4.

At 4:30 P.M., on motion of Mr. Brown, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-FIRST DAY.

WEDNESDAY, February 1, 1871.

House met at 10:30 A.M.

Speaker Lowery in the chair.

Roll called.

Absent—Mr. Potter.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

The Standing Committee on Claims made the following report:

Mr. Speaker:

Your Standing Committee on Claims, to whom was re-referred Assembly Bill No. 30, beg leave to report a substitute for said bill, and recommend its passage.

JOHN S. CHILD,
Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment respectfully report that they have examined Assembly Concurrent Resolution No. 78, and find the same to be correctly enrolled, and have this day delivered the same to the Secretary of State.

H. A. WILLARD,
Chairman.

By Mr. Hatch:

Resolved, That the Sergeant-at-Arms be and is hereby instructed to procure Bancroft's latest map of the Pacific States and Territories for the use of this House.

Adopted.

Assembly Concurrent Resolution No. 106, introduced by Mr. McClelan, relating to mail service from Wadsworth to Belmont.

Read the first time; rules suspended; read the second time by title, and referred to Committee on Federal Relations.

Mr. Hogan gives notice that he will, on some future day, ask leave to introduce a bill for an Act to provide for taxing railroad lands in this State.

Mr. Brown asked leave of absence for the remainder of the day.

Leave granted.

Substitute for Senate Bill No. 62: "An Act to reduce fees of County Clerks, for naturalization of foreigners."

Read the second time, and referred to Judiciary Committee.

Mr. Wagner asked leave to introduce a bill without previous notice.

Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County."

Read the first time; rules suspended; read the second time by title, and referred to White Pine delegation.

Mr. Lockwood introduced, without previous notice, Assembly Bill No. 103: "An Act to provide for the greater security of property against loss by fire."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Corporations.

Senate Bill No. 66: "An Act authorizing a State loan and levying a tax to provide means for the payment thereof."

Reported back with several amendments, and re-referred to Judiciary Committee.

Senate Concurrent Resolution, relative to printing reports of State Treasurer and Controller.

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard—37.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Canavan, Gray, Murphy, Potter, Williams, Mr. Speaker—9.

Senate Concurrent Resolution No. 71, relative to printing two hundred and fifty copies of rules and joint rules of Senate and Assembly.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—Messrs. Savage, Smith—2.

Absent—Messrs. Buckingham, Brown, Canavan, Murphy, Potter—5.

Senate Concurrent Resolution No. 77, relative to printing the report of the Surveyor-General.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—Mr. Ellyson—1.

Absent—Messrs. Buckingham, Brown, Potter, Canavan, Murphy, Savage—6.

Mr. Tennant asked leave of absence for Master Taussig (Page) for one day. Leave granted.

Assembly Bill No. 70, an Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada."

Read third time.

Mr. Gray moved to lay the bill temporarily on the table.

Motion lost.

The bill passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Patchen, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—37.

NAYS—Messrs. Canavan, Gray, Owen, Organ, Smith—5.

Absent—Messrs. Buckingham, Brown, Piper, Potter—4.

Mr. Lockwood moved that the Judiciary Committee do report back Assembly Bill No. 66: "An Act to authorize a State loan," immediately.

Mr. Williams reported bill back to the House without recommendation.

Mr. Lockwood moved that the bill be referred to Committee on Ways and Means.

Lost.

Mr. Williams moved that the House resolve itself into Committee of the Whole for the purpose of considering business on general file.

Adopted.

Mr. Beck in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Senate Bill No. 66: "An Act authorizing a State loan and levying taxes to provide means for the payment thereof," beg leave to report the same back to the House, report progress, and ask leave to set again. Also, Assembly Bills Nos. 60 and 61, and recommend that they be laid on the table temporarily.

Report received.

At 1:05 p. m., on motion of Mr. Fuller, the House took a recess for one hour.

At 2:05 the House re-assembled.

Speaker Lowery in the chair.

Roll called; quorum present.

The Speaker announced the following Committee on [the Constitutional Amendments]:

Messrs. Burlingame, Williams, Hogan, Greenhalgh, Brown, Child, McLeod, Dovey, Savage, Jones, Garaghan, McClelan and Trousdale.

Mr. Bowman moved a call of the House.

Roll called.

Absent—Messrs. Cowen, Piper, Roney.

On motion of Mr. Savage, further proceedings under call of the House were dispensed with.

Mr. Williams moved that the House resolve itself into Committee of the Whole, for the purpose of considering Assembly Bills Nos. 60 and 61, and Senate Bill No. 66.

Agreed to.

At 2:20 p.m., Mr. Beck in the chair, the House went into Committee of the Whole.

In time, Committee rose and reported as follows:

Mr. Speaker:

Your Committee have had under consideration Senate Bill No. 66: "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof," report the same back to the House, and direct the clerk to have the same printed with amendments, and ask leave to sit again, and recommend that Bills Nos. 60 and 61 be laid temporarily on the table.

Report adopted.

Mr. Burlingame moved that Mr. Williams be allowed to change his vote from the affirmative to the negative on the Legislative Fund Bill, which passed the House on yesterday.

Agreed to.

At 4:05, on motion of Mr. Rogers, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-SECOND DAY.

THURSDAY, February 2, 1871.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called.

Absent—Messrs. Lawson, Organ, Patchen, Rogers and Williams.

Mr. Burlingame asked leave of absence for Mr. Canavan for one day.

Granted.

Mr. Roney asked leave of absence for Mr. Lawson for one day.

Granted.

Mr. Tennant asked leave of absence for Chaplain, Rev. J. D. Hammond.

Leave granted.

Journal of yesterday read and approved.

Mr. Speaker:

Your Standing Committee on State Library, to whom was referred Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the Laws of the Territory of Nevada," beg leave to report that they have had the same under consideration, and have directed their chairman to report the same back to the House, with the recommendation that it do pass.

Also, Assembly Bill No. 82: "An Act to provide for the preservation of the manuscript laws," and beg leave to report that they have, as directed, ascertained that the probable cost of same will be two hundred and twenty-five dollars, and that they have come to a favorable conclusion on same, and herewith report the same back to the House, with the recommendation that it pass.

GEO. W. LIKENS,
Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment respectfully report that they have had under consideration Assembly Bill No. 25, and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,
Chairman.

Mr. Beck moved that Assembly Bill No. 65, "An Act relative to public highways," be taken from the table and placed on general file.

Agreed to.

Senate Concurrent Resolution No. 86, to provide the Warden with furniture, etc., was indefinitely postponed.

Assembly Bill No. 105: "An Act securing liens to mechanics and others."

Introduced by Mr. Barber; read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee, with instructions to print.

Mr. Gray moved that substitute for Senate Bill No. 6: An Act supplementary to and amendatory of an Act to amend an Act of the Legisla-

tive Assembly of the Territory of Nevada, "An Act to create counties and county boundaries," be taken from the table and placed on general file.

Adopted.

On motion of Mr. Owen, the House resolved itself into Committee of the Whole for the consideration of general file.

Mr. Hay in the chair.

In time, committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 63: "An Act to amend an Act entitled 'An Act to provide for the registration of the names of electors, and to prevent fraud at elections,'" approved March 5, 1869, report the bill back with the recommendation that it pass as amended; also, Assembly Bill No. 64: "An Act to amend section fifty-eight of an Act to provide revenue for the support of the government of the State of Nevada," report the bill back with the recommendation that it be laid temporarily on the table; also, Assembly Bill No. 85: "An Act to repeal Chapter LXXXVIII of the laws passed at the 1869 session," report the same back and recommend its passage; also, Assembly Bill No. 69: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" report it back and recommend that it be laid on the table temporarily; also, Assembly Bill No. 56: "An Act providing a mode for assessing and taxing the net proceeds of ranches," recommend that it be laid on the table; also, substitute for Assembly Bill No. 30: "An Act to pay the claim of A. C. Ellis," recommend that it be considered engrossed and placed on its final passage; also, Assembly Bill No. 65: "An Act in relation to public highways," report it back with amendments, and ask leave to sit again.

Report adopted.

At 1 o'clock, P. M., on motion, House took a recess for one hour.

Two o'clock, P. M., in session.

Roll called—quorum present.

Substitute for Assembly Bill No. 30: "An Act to pay A. C. Ellis for legal services rendered in the cause of the State of Nevada vs. Henry A. Rhoades, administrator of the estate of Eben Rhoades, late State Treasurer, and the bondsmen of said Eben Rhoades," taken up on its third reading.

Mr. Bowman moved that the bill be amended by striking out twenty-five hundred and inserting one thousand.

Motion lost.

Roll called, and bill passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Likens, Lockwood, McClelan, McLeod, Murphy, Patchen, Rogers, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—32.

NAYS—Messrs. Beck, Brown, Harris, Manning, Owen, Piper, Potter, Roney, Smith—9.

Absent—Messrs. Canavan, Fuller, Lawson, Organ, Williams—5.

Mr. Bowman gave notice that he would, on to-morrow, move to reconsider the vote by which Assembly Bill No. 30 passed.

Mr. Savage moved that the House reconsider immediately.

Speaker decided Mr. Savage's motion in order.

Mr. Bowman appealed from the decision of the chair.

Mr. Williams moved that the roll be called.

Pending which Mr. Bowman moved a call of the House.

Roll called.

Absent—Messrs. Barber, Buckingham, Lawson and Patchen.

Mr. Willard moved that further proceedings under call of the House be dispensed with ; agreed to.

On the appeal from the decision of the chair the vote stood as follows :

Chair sustained by the following vote :

YEAS—Messrs. Burlingame, Brown, Child, Cowen, Dangberg, Delano, Fuller, Gray, Greenhalgh, Harris, Hatch, Hogan, Lockwood, McClelan, McLeod, Potter, Rogers, Roney, Saville, Tennant, Wagner—22.

NAYS—Messrs. Barber, Beck, Bowman, Dovey, Ellyson, Garaghan, Hay, Jones, Likens, Manning, Owen, Piper, Savage, Simpson, Smith, Trousdale, Willard, Williams—18.

Absent—Buckingham, Canavan, Lawson, Murphy, Organ, Patchen—6.

Mr. Bowman moved the previous question.

The Speaker stated the motion : Shall the main question now be put ?

House refused to suspend the rules by the following vote :

YEAS—Messrs. Brown, Child, Cowen, Ellyson, Patchen, Rogers, Wagner, Williams—8.

NAYS—Messrs. Beck, Bowman, Burlingame, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Willard, Mr. Speaker—33.

Absent—Messrs. Barber, Buckingham, Canavan, Lawson, Organ—5.

Mr. Tennant asked leave to spread upon the journal a protest against the passage of the bill, entitled "An Act to amend 'An Act to provide for the government of the State Prison of the State of Nevada.'"

After much discussion the whole subject matter was indefinitely postponed.

Mr. Dovey asked leave of absence for the remainder of the day.

Leave granted.

The following messages were received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 2d, 1871. }

To the Honorable the Assembly :

I am instructed to inform your honorable body that the Senate has this day refused to recede from their action in relation to amendments to Assembly Bill No. 6, and have appointed as a committee of conference Senators Hall, McCoy and Boring.

Respectfully,
CHAS. F. BICKNELL,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 2d, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your

honorable body, Senate Bill No. 54: "An Act to change the county seat of Lincoln County;" also, Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution located at Virginia City, Storey County, Nevada," the same having this day passed the Senate.

Respectfully,

CHAS. F. BICKNELL,

Secretary of Senate.

Mr. Willard moved to adjourn.

Lost.

Mr. Lockwood moved a call of the House.

Mr. Hogan moved that further proceedings under call of the House be dispensed with.

Agreed to.

At 4:40 P. M. Mr. Williams moved to adjourn.

Agreed to.

ROBERT E. LOWERY,

Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-THIRD DAY.

FRIDAY, February 3d, 1871.

House met at 10:30 A. M. Speaker Lowery in the chair.

Roll called. All present.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 2d, 1871. }

To the Honorable the Assembly :

I am instructed to inform your honorable body that the Senate has this day refused to recede from their action in relation to amendments to Assembly Bill No. 6, and have appointed as a committee of conference Senators Hall, McCoy and Boring.

Respectfully,

CHAS. F. BICKNELL,

Secretary of Senate.

Mr. Speaker appointed, to confer with Senate Conference Committee, Messrs. Jones, Dovey and McClelan.

Pursuant to notice Mr. Bowman moved to reconsider the vote by which Assembly Bill No. 30: "An Act to pay A. C. Ellis for legal services," was lost.

Agreed to by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Dangberg, Garaghan, Harris, Hay, Hogan, Lawson, Likens, Manning, Owen, Organ, Piper, Potter, Roney, Saville, Smith, Tennant, Trousdale, Willard—22.

NAYS—Messrs. Buckingham, Burlingame, Child, Cowen, Delano, Ellyson, Fuller, Greenhalgh, Hatch, Jones, Lockwood, McClelan, McLeod, Murphy, Patchen, Rogers, Saville, Simpson, Wagner, Williams, Mr. Speaker—21.

Absent—Messrs. Canavan, Dovey and Gray—3

Mr. Burlingame moved a call of the House.

Absent—Canavan, Dovey and Gray.

Sergeant-at-Arms brought Mr. Gray to the bar of the House; and, on motion, he was admitted to his seat.

Mr. Williams moved that further proceedings under the call of the House be dispensed with. Agreed to.

On the final passage of the bill, the following was the result:

YEAS—Messrs. Barber, Buckingham, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Rogers, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—35.

NAYS—Messrs. Beck, Bowman, Brown, Harris, Lawson, Owen, Piper, Potter, Roney, Smith—10.

Absent—Mr. Canavan.

The following communication was received:

CARSON CITY, Nev., February 2d, 1871.

Hon. Mr. Trousdale.

DEAR SIR AND BROTHER—I am instructed by the Committee of Arrangements for the celebration of the anniversary of Union Lodge No. 4, I. O. G. T., to request you to tender to the honorable members of the Assembly an invitation to attend at the Hall of Union Lodge, on Monday evening next, at 7:30 o'clock, for the purpose of witnessing the installation of the officers elect, and participating in the festivities of the evening.

Very respectfully and fraternally,

RICHARD R. PARKINSON,

Secretary to Committee.

Mr. Speaker:

Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, et al., to build and maintain a narrow gauge railroad through the counties of Elko, Lander, White Pine and Lincoln," beg leave to report that they have had the same under consideration, and herewith report the same back to the House, with the recommendation that it be printed and pass as amended, by adding section three.

D. MURPHY,

Chairman.

Mr. Speaker:

Your Standing Committee on Education, to whom was referred Assembly Bill No. 55, respectfully report the same back to the House, and recommend its passage.

W. A. TROUSDALE,
W. C. DOVEY,
J. A. BURLINGAME.
T. J. JONES.

Mr. Speaker:

Your Standing Committee on Public Morals, to whom was referred Senate Bill No. 20: "An Act referring to compensation for causing death by wrongful act, neglect, or default," beg leave to report that they have had the same under consideration, and have directed their Chairman to report the same back, with the recommendation that it do pass.

W. A. TROUSDALE,
Chairman.

Mr. Speaker:

Your select committee, to whom was referred Senate Concurrent Resolution No. 82, relative to granting leave of absence to N. H. Westfall, Sheriff of Humboldt County, have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

JOSEPH ORGAN,
W. A. TROUSDALE,
THOMAS HARRIS.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 2d, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State Assembly Bill No. 25, entitled "An Act authorizing the Secretary of State to furnish the printed public documents, statutes and reports to certain parties therein named.

L. R. BRADLEY,
Governor.

Mr. Beck moved that Assembly Bill No. 28: "An Act concerning crimes and punishments," be made the special order for Thursday evening next.

Lost.

On motion of Mr. Lockwood, the bill was temporarily laid on the table.

On motion of Mr. Hogan, Senate Bill No. 42: "An Act to prevent the destruction of fish," was taken from unfinished business and placed on top of general file.

Substitute for Senate Bill No. 6: "An Act to create counties and establish the boundaries thereof," was taken from general file and re-referred to select committee composed of Messrs. Garaghan, Bowman, Trousdale, Willard, Likens and Gray.

Pursuant to previous notice Mr. Delano introduced Assembly Concurrent Resolution No. 115 [109], relating to mail service from Wadsworth, Nevada, to Fort Independence, California.

Read the first time; rules suspended; read the second time by title, and referred to Committee on Federal Relations.

Mr. Bowman moved to reconsider the vote by which Senate Bill No. 38, "An Act concerning stock running at large unlawfully," passed this House.

Vote to reconsider by the following:

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning,

McClelan, McLeod, Murphy, Owen, Patchen, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—39.

NAYS—Messrs. Beck, Piper—2.

Absent—Messrs. Burlingame, Gray, Smith—3.

Mr. Cowen moved that the rules be suspended, and the bill be re-referred to the Committee on Agriculture.

Adopted.

Assembly Concurrent Resolution No. 110, proposition to amend article ten (10) of the Constitution of the State of Nevada, introduced by Mr. Beck.

The Assembly, the Senate concurring, propose to amend section one of article ten of the Constitution of the State of Nevada, by striking therefrom the words "except mines and mining claims, the proceeds of which alone shall be taxed."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 1st, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 58: "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada," the same having passed the Senate on the 30th day of January, by the following vote: Yeas, 14; nays, 9.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 58, introduced from the Senate.

Read the first time; rules suspended; read the second time by title, and referred to the Elko and White Pine delegations.

At 12:45 P. M., on motion of Mr. Piper, House took a recess for one hour.

1:45 P. M.; in session; Mr. Speaker in the chair.

Roll called; quorum present.

Mr. Hogan asked leave of absence for Mr. Bowman for the remainder of the day.

Leave granted.

Mr. Brown asked leave of absence for Mr. Delano for the remainder of the day.

Leave granted.

Mr. Patchen asked leave of absence for Mr. Canavan for the remainder of the day.

Leave granted.

Assembly Bill No. 113 [112]: "An Act to regulate the business of pawnbrokers in the State of Nevada," introduced by Mr. Smith:

Read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means, with instructions to print.

Assembly Bill No. 114 [113]: "An Act granting aid to the Sierra Seminary," introduced by Mr. Hatch.

Read first time; rules suspended; read second time by title, and referred to Committee on Education, with instructions to print.

Assembly Bill No. 115 [114: An Act to amend an Act entitled "An Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled 'An Act to provide for the appointment of Notaries Public, and defining their duties,'" introduced by Mr. Savage.

Read first time; rules suspended; read second time by title, and referred to the Committee of the Whole.

Senate Substitute Bill for Senate Bill No. 54: "An Act to change the county seat of Lincoln County," introduced from Senate.

Read first time; rules suspended; read second time by title, and referred to Lincoln County delegation.

Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum," introduced from Senate.

Read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

Assembly Bill No. 82: "An Act to provide for the preservation of manuscript laws."

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Brown, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Potter, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—36.

NAYS—Messrs. Greenhalgh, Harris, Rogers—3.

Absent—Messrs. Bowman, Burlingame, Canavan, Delano, Organ, Willard, Williams—7.

Assembly Bill No. 63: An Act to amend an Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Brown, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Bowman, Burlingame, Canavan, Delano, Organ, Patchen, Willard, Williams—8.

Assembly Bill No. 85: "An Act to repeal Chapter LXXXVIII of the laws passed at the 1869 session."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Brown, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—39.

NAYS—9.

Absent—Messrs. Bowman, Burlingame, Canavan, Delano, Organ, Willard, Williams—7.

Substitute for Senate substitute for Assembly Bill No. 2: "An Act to promote the building of railroads in the State of Nevada."

Laid on the table temporarily.

Mr. Owen moved that the House resolve itself into Committee of the Whole for the purpose of considering general file.

Adopted.

Mr. Greenhalgh in the chair.

In time the Committee rose and reported as follows :

Mr. Speaker:

Your Committee of the Whole have had under consideration Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada," and recommend that it be laid on the table temporarily ; also, Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada," and recommend its passage ; also, Assembly Bill No. 65: "An Act in relation to public highways," report progress, and ask leave to sit again.

Report received and adopted.

By Mr. Piper :

Resolved, That the use of this Chamber is hereby tendered to the Third House, for its deliberations, on such evenings as this Assembly is not in session.

Adopted.

At 4:10 P. M., on motion of Mr. Harris, the House adjourned.

ROBERT E. LOWERY,

Attest:

Speaker.

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-FOURTH DAY.

SATURDAY, February 4th, 1871.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called—all present.

Prayer by the chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker :

Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 98: "An Act to promote the introduction and use of steam power, for transportation purposes, on common roads in the State," beg leave to report that they have had the same under consideration, and herewith report the same back to the House without recommendation.

Respectfully,

D. MURPHY,
Chairman.

Mr. Speaker :

The Standing Committee on Federal Relations herewith return Assembly Concurrent Resolution No. 101, and recommend its passage.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

The Standing Committee on Judiciary herewith return Assembly Bill No. 23, with amendments, which are noted on the accompanying printed bill, and recommend that the bill pass as amended by the Committee ; also, Senate Bill No. 5, and report that they find no constitutional objection to the same ; also, Senate Bill No. 27, and recommend that it do not pass ; also Senate Bill No. 37, and recommend that it do pass.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

Your Standing Committee on Agriculture, to whom was referred Assembly Bill No. 80, entitled "An Act to protect ranchmen, cattle dealers and butchers," beg leave to report that they have had the same under consideration, made the following amendments thereto, and recommend its passage as amended: Strike out all of section six and substitute the following: "Section 6. No person shall be allowed to crop more than one ear, and of such ear not more than one third shall be cropped; nor shall any person be allowed to use a mark by cutting the ear on both sides to a point, and all persons who may now have such marks shall be obliged to alter them with respect to the cattle they may have to mark after this act takes effect." In section seven, add after the word county in the last line the following: "And, provided further, that this section shall not apply to stock sold and to be kept or slaughtered in the immediate range or neighborhood, and within the knowledge of the party or parties selling." Strike out all of section nine. In section eleven, first line after the word ["first,"] and before the word day, insert the word "legal." In section twelve after the word "persons," in first line and before the word "who," insert the words "other than butchers;" also, in same section, strike out, wherever it occurs, the word "horns." In section thirteen, last line, strike out all after the word "calves," and insert the following: "of the age of one year and over."

Your committee would recommend the printing of the bill as amended.

Respectfully, etc.,

H. H. DANGBERG,
Chairman.

Mr. Speaker :

A majority of your Committee on Corporations, to which was referred Assembly Bill No. 103, entitled "An Act to provide for the greater security of property against loss by fire," having had the same under consideration, have instructed their Chairman to report the bill back to the House without amendment, and recommend its passage.

Respectfully, etc.,

R. T. SMITH,
Chairman.

By Mr. Dovey:

WHEREAS, The State has been at great expense in erecting, and furnishing an elegant and commodious asylum for orphans in this city; and,

WHEREAS, Mr. Corey, the gentleman having charge of that institution, has respectfully invited this Assembly to visit the same; and,

WHEREAS, The Governor of this State, in a message to this body, recommended that more ample provision be made for the care and keeping of the orphans of this State; therefore, be it

Resolved, That this Assembly do adjourn at twelve o'clock m. to-day for the purpose of visiting said asylum in an official capacity.

Adopted.

On motion of Mr. Jones, the House resolved itself into Committee of the Whole for the purpose of considering general file. Mr. Hogan in the chair.

Mr. Murphy moved that the committee rise temporarily to receive Senate messages. Speaker Lowery in the chair.

The following message received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 3d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 7, an Act to amend an Act entitled "An Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22d, 1865, with the following amendments: In line one, section one, insert the word "is" after the word "this" and before the word "amendatory." Also, in line twenty-four, section one, insert the word "is" after the word "this" and before the word "amendatory." Also, at the end of section two, after the word "equipped," add the words "between the extreme points named in the articles of association." Also, add Section 3. "The Legislature shall, from time to time, when it may deem proper, change the rates of fare and freight of all narrow gauge railroads constructed under the provisions of this Act;" said bill having this day passed the Senate as amended, by the following vote: Yeas, 17; nays, 4.

I also return Assembly Bill No. 96: "An Act to create Legislative Funds," the same having this day passed the Senate, by the following vote: Yeas, 13; nays, 7. Also, Senate Bill No. 44, an Act to amend an Act [entitled "An Act] to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto," approved March 22d, 1865, the same having this day passed the Senate, by the following vote: Yeas, 22; nays, none. Also, Senate Bill No. 65: "An Act concerning exemption from jury duty," which this day passed the Senate, by the following vote: Yeas, 19; nays, 3.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 44, concerning the incorporation of railroad companies.

Read first time; rules suspended; read second time by title, and referred to Committee on Internal Improvements.

Senate Bill No. 65: "An Act concerning exemption from jury duty."

Read first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

House resolved itself into Committee of the Whole. Mr. Hogan in the chair.

In time, the Committee rose, and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of the State of Nevada," recommend that in line three, section one, the word "April" be stricken out, and the word "January" substituted. Also, that the whole of section two be stricken out. Committee report progress, and recommend that it be laid temporarily on the table.

Report received and adopted.

At twelve o'clock M. Mr. Williams moved that this House do now adjourn.

Agreed to.

ROBERT E. LOWERY,
Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-SIXTH DAY.

MONDAY, February 6th, 1871.

House met at 10:30 A. M.

Speaker Lowery in the chair.

Roll called. Absent—Messrs. Buckingham, Hogan and Potter.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of Saturday read and approved.

Mr. Speaker:

Your Standing Committee on Education have had Assembly Bill No. 113 under consideration, and beg leave to return the same back to the House without recommendation.

W. A. TROUSDALE,
Chairman.

Mr. Speaker:

The Joint Committee to whom was referred the subject of inquiring into the State's title to the grounds on which the Capitol building is located, known as the Plaza, report that on investigation your committee find that the grounds were originally set aside by the locators of a portion of what is known as Carson City, for a public square or plaza, for the use of the town. That subsequently, to wit, January 31st, 1866, an Act was passed by Congress, under title of "An Act for the relief of citizens of towns upon lands of the United States under certain circumstances." That, by authority of said Act and prior laws of Congress, Samuel H. Wright, Judge of the District [Court of the Second Judicial District] in

and for the county of Ormsby, was duly appointed trustee for the inhabitants of Carson City. That pursuant to an Act of the Legislature of Nevada, approved January 31st, 1866, application was duly made on the part of the State of Nevada for a *title deed* of said plaza grounds in Carson City; that in compliance with said statute, due notice was given to any and all parties interested, to file counter claims to said grounds, if any existed. That it appears by the record of proceedings of said trustee, that no other claim of title to said grounds was set up. That after the expiration of the time of notice required by law, said Samuel H. Wright, Judge and Trustee as aforesaid, duly granted and conveyed, by deed properly executed and acknowledged, to H. G. Blasdel, then Governor of this State, for the sole use and occupancy of the State, title to said Plaza. That said deed was executed on the fifth day of September, A. D. 1867, duly recorded in the Ormsby County Record, Dec. 23, 1867, and filed and recorded in the Secretary of State's office January 1, 1868.

In view of the foregoing facts, your committee unanimously concur in the opinion that the *title* of the State to the Capitol grounds is perfect.

All of which is respectfully submitted.

W. C. DOVEY, Chairman,
W. M. BORING,
A. H. GREENHALGH.

By Mr. Lockwood :

Resolved, That hereafter, when bills are reported from Committees, that they shall be referred to by title, in addition to the numbers of the bills.

Senate Bill No. 42: "An Act to prevent the destruction of fish," on motion, was taken from table and referred to the Washoe delegation.

Mr. Speaker :

Your select committee, consisting of the White Pine and Elko delegations, to which was referred Senate Bill No. 58, have had the same under consideration, beg leave to report the same back and recommend that it do pass, with the amendments herewith submitted.

Respectfully, etc.,

JOHN WAGNER,
THOS. J. TENNANT,
P. P. CANAVAN,
W. BROWN,
J. A. SAVAGE,
J. W. ELLYSON.

Mr. Lockwood gives notice that he will, at some future day, ask leave to introduce a bill for an Act to provide for payment of outstanding and unsatisfied claims, for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction of the Capitol building at Carson City.

Mr. Williams asked, and was granted, leave of absence for one week.

Mr. Canavan asked leave of absence for Mr. Burlingame for one day. Granted.

Mr. Williams introduced a bill: "An Act for the government of the towns and cities of this State."

Read the first time; rules suspended; read the second time by title, with instructions to print.

Pursuant to notice, Mr. Beck introduced Assembly Bill No. 120: "An Act to grant the right of way to John H. Dall, J. J. Dunne,

and their associates, to build and maintain a narrow gauge railroad in the counties of Ormsby and Washoe."

Read the first time; rules suspended; read the second time by title, and referred to Ormsby and Washoe delegations.

Assembly Bill No. 117: "An Act to repeal an Act to incorporate the town of Hamilton;" introduced by Mr. Wagner.

Read the first time; rules suspended; read the second time by title, and referred to the White Pine delegation, with instructions to print.

Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada."

Referred to the Judiciary Committee.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER,
CARSON CITY, February 6th, 1871. }

To the Honorable the Assembly:

I have the honor to herewith transmit for the consideration of your honorable body, Senate Bill No. 61: "An Act to change the county seat of Washoe county," which passed the Senate on the 3d inst., by the following vote: Yeas, 21; nays, 1; also, Senate proposal to amend the Constitution of the State, the same having this day passed the Senate by the following vote: Yeas, 17; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 61: "An Act to change the county seat of Washoe county."

Read the first time; rules suspended; read the second time by title, and referred to the Washoe County delegation.

PROPOSAL TO AMEND THE CONSTITUTION OF THE STATE.

Introduced from the Senate; rules suspended, and passed by the following vote:

YEAS — Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—40.

NAYS—0.

Absent — Messrs. Buckingham, Hogan, Patchen, Murphy, Potter, Smith—6.

Mr. Hatch gave notice that he would, on to-morrow, move to reconsider the vote by which the resolution passed.

Senate Concurrent Resolution relative to granting leave of absence to A. H. Westfall, Sheriff of Humboldt county.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod,

Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams, Mr. Speaker—37.

YAYS—Messrs. Greenhalgh, Hatch—2.

Absent—Messrs. Buckingham, Burlingame, Hogan, Murphy, Potter, Smith, Trousdale—7.

Assembly Bill No. 7: "An Act to amend an Act entitled "An Act for the incorporation of railroad companies, and the management of the affairs thereof, and matters relating thereto," returned from the Senate, with amendments.

Amendments concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Harris, Hatch, Hay, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—36.

NAYS—0.

Absent—[Messrs.] Burlingame, Gray, Greenhalgh, Likens, Murphy, Organ, Potter, Smith, Hogan, Willard—10.

Mr. Speaker :

Your Standing Committee on Enrollment respectfully report that they have had under consideration Assembly Bill No. 96, an Act entitled "An Act creating Legislative Funds," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,
Chairman.

On motion of Mr. Williams, the House resolved itself into Committee of the Whole for the purpose of considering Senate Bill No. 66, and general file. Mr. Lockwood in the chair.

In time the committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Bill No. 66: "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," recommend that in line thirteen, section seven, after the word "Controller," the words "or Governor" be inserted; also, in section ten, line six, after the word "bond," strike out the word "ready;" also, recommend its passage as amended. Also, Assembly Bill No. 114, an Act to amend an Act entitled "An Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled an Act to provide for the appointment of Notaries Public and defining their duties," approved February 9th, 1864, approved March 12th, 1865, recommend that it be placed at the bottom of the file. Also, Assembly Bill No. 65: "An Act in relation to public highways," recommend that section nine and ten be added, and that it be referred to the Committee on Internal Improvements, with amendments, report progress, and ask leave to sit again.

Report received and adopted.

At 1:35 P. M., on motion of Mr. Canavan, House took a recess for one hour.

AFTERNOON SESSION.

House re-assembled at 2:35 p. m. Speaker Lowery in the chair.

Roll called. Quorum present.

On motion of Mr. Beck, the House resolved itself into Committee of the Whole for the consideration of general file. Mr. Patchett in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration substitute for Assembly Bill No. 29: "An Act to amend an Act entitled an Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865; substitute adopted, reported back, ordered engrossed and its passage recommended. Also, Senate Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect or default," recommend the clerk to strike out all of section three, and that it be referred to the Judiciary Committee. Also, Assembly Bill No. 55: "An Act in relation to the payment of school moneys by County Treasurers," reported back with recommendation that it pass. Also, Senate Bill No. 5: "An Act for the relief of C. Lark, Treasurer of Humboldt County," reported back with recommendation that it do pass. Also, Assembly Bill No. 23: "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," reported back, ordered engrossed and its passage recommended as amended. Also, Senate Bill No. 27: "An Act to protect the revenue of the State of Nevada," reported back with recommendation that it do not pass. Also, Senate Bill No. 37: "An Act concerning conveyances executed without the State," reported back with recommendation that it pass.

Adopted.

By Mr. Lowery :

Resolved, That the committee, composed of the Lincoln County delegation, to whom was referred Assembly Bill No. 108: "An Act to change the county seat of Lincoln County" be, and is hereby, requested to report the same back to the House, on to-morrow, February 7th, 1871.

Laid temporarily on the table.

At 4:35 p. m., on motion of Mr. Dangberg, the House adjourned.

ROBERT E. LOWERY,

Attest:

Speaker

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-SEVENTH DAY.

TUESDAY, February 7th, 1871.

House met at 10:30 A. M.

Speaker Lowery in the chair.

Roll called. Absent—Mr. Williams, on leave.

Prayer by the chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Burlingame asked leave of absence for the remainder of the week. Granted.

Mr. Speaker :

Your Standing Committee on Agriculture, to whom was submitted Senate Bill No. 38: "An Act concerning stock unlawfully running at large in this State," beg leave to report that they have had the same under consideration, made a substitute therefor, and directed their chairman to report the substitute back to the House, and recommend its passage.

Respectfully, etc.,

H. F. DANGBERG,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Senate Bill No. 67, entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debts, and place the State upon a permanent cash basis," have had the same under consideration, beg leave to report the same back, with the recommendation that it do pass with the amendments herewith submitted.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Senate Bill No. 75, entitled "An Act to provide for the fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution, located at Virginia City, Storey County, State of Nevada," have had the same under consideration, beg leave to report the same back to the House, with the recommendation that it do pass.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your select committee, to which was referred substitute for Senate Bill No. 6, have had the same under consideration, and were unable to agree upon a unanimous report; five members of said committee voting in favor of the following report, while one voted against it: Therefore we, the members of your select committee, whose names are signed hereto, respectfully report the said bill back to the House without amendment, and recommend its passage.

Respectfully, etc.,

M. B. GARAGHAN,
Chairman.
JOHN BOWMAN,
GEO. W. LIKENS,
J. M. GRAY,
H. A. WILLARD.

Mr. Speaker:

The Lincoln County delegation, to whom was referred Senate Concurrent Resolution No. 83, relative to granting leave of absence to John Kane, Sheriff of Lincoln County, have had the same under consideration,

respectfully report the same back to the House and recommend its passage, with the following amendments, viz: Striking out all after the word "1871" in said concurrent resolution.

Respectfully, etc.,
M. B. GARAGHAN.

Mr. Speaker:

Your special committee, to which was referred Assembly Bill No. 84, beg leave to report the same back with amendments, and recommend its passage as amended.

T. J. JONES,
S. L. FULLER,
D. MURPHY,
H. A. WILLARD.

The following messages were received from the Honorable the Senate:

CARSON CITY, February 6th, 1871.

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 78, an Act amendatory of and supplementary to an Act entitled "An Act concerning crimes and punishments," approved November 26th, 1861, which has this day passed the Senate, by the following vote: Yeas, 14; nays, 4.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 7th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 68: "An Act to admit an instrument, purporting to be a will of Henry Sticknoth, to probate," the same having passed the Senate February 6th, by the following vote: Yeas, 14; nays, 4.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

Mr. Simpson gives notice that he will, on some future day, ask leave to introduce a bill for "An Act to provide for the payment of the indebtedness of Esmeralda County."

Mr. Bowman gives notice that he will, on some future day, ask leave to introduce a bill for an Act entitled "An Act for the relief of Jonathan Williams."

Report of State Capitol Building Commissioners received from the Senate, and referred to Committee on State Institutions.

Pursuant to notice, Mr. Hatch moved to reconsider the vote by which the resolution to change the Constitution passed.

Mr. Lockwood moved that the resolution be laid temporarily on the table.

Carried.

Mr. Wagner asked leave to introduce a bill without previous notice, an

Act to amend an Act entitled "An Act to provide for constructing and maintaining toll roads and bridges."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements.

Mr. Lockwood introduced a bill: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions, with instructions to print.

Mr. Tennant introduced: "An Act in relation to the Great Seal of the State."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Smith asked leave of absence for half an hour. Granted.

The following having been omitted from yesterday's journal, was, on vote of the House, ordered spread on the minutes:

PROPOSAL TO AMEND THE CONSTITUTION OF THE STATE.

The Senate, the Assembly concurring, hereby propose: That section one of article nine of the Constitution of the State of Nevada, be amended so that it will read:

Section 1. The fiscal year shall commence on the first day of December in each year.

Senate Bill No. 66: "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof."

On motion of Mr. Lockwood, the bill was laid temporarily on the table by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Fuller, Harris, Hatch, Hay, Hogan, Lawson, Lockwood, McLeod, Owen, Patchen, Piper, Potter, Simpson, Smith, Tennant—24.

NAYS—Messrs. Beck, Cowen, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Jones, Likens, Manning, McClelan, Murphy, Organ, Rogers, Roney, Savage, Saville, Trousdale, Wagner, Willard, Williams—21.

Absent—Mr. Speaker—1.

At 12:30 P. M., on motion of Mr. Piper, the House took a recess for one hour.

AFTERNOON SESSION.

House met at 1:40 P. M.

Speaker Lowery in the chair.

Roll called—Quorum present.

Mr. Williams asked leave to introduce the following report out of regular order. Leave granted.

Mr. Speaker:

The Standing Committee on Judiciary, to whom was referred a resolution in reference to action taken under the provisions of the Act entitled "An Act appointing a commission to prepare and report to the Legislature of the State at its next regular session for its adoption a Civil Practice

Act," approved March 1, 1866, report that the Commissioner, I. Neely Johnson, who was appointed such by the terms of the Act referred to, did file with the Secretary of State, at some time during the session of the Legislature of 1867, a mass of matter styled a code of procedure, but which embraced subjects not contemplated by the provisions of the Act under which he was appointed, and that the same was not acted upon by the Legislature.

The committee also find that the Commissioner drew from the Treasury the sum of three thousand dollars as salary, being the entire sum appropriated by the Act for that purpose; that he also received from the Secretary of State stationery to the value of \$39.00, and that his "Code of Procedure" was printed at an expense to the State in the sum of \$4,421.83.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Senate Bill No. 27: "An Act to protect the revenue of the State of Nevada."

Read the third time, and lost by the following vote:

YEAS—Messrs. Hay, Potter, Wagner—3.

NAYS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Willard, Williams, Mr. Speaker—36.

Absent—Messrs. Beck, Buckingham, Cowen, Dovey, Harris, Piper, Trousdale—7.

Senate Bill No. 37: "An Act concerning conveyances executed without the State."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Wagner, Willard, Williams, Mr. Speaker—38.

NAYS—Messrs. Cowen and Potter—2.

Absent—Messrs. Beck, Buckingham, Harris, Lockwood, Organ, Trousdale—6.

Senate Bill No. 5: "An Act for the relief of C. Lark, Treasurer of Humboldt county."

Read the third time and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard, Williams, Mr. Speaker—41.

NAYS—Mr. Smith—1.

Absent—Messrs. Beck, Burlingame, Owen, Trousdale—4.

Mr. Harris asked leave of absence for the remainder of the day. Granted.

Mr. Fuller asked leave of absence for the remainder of the day. Granted.

“An Act in relation to the payment of school moneys by County Treasurers.”

Read the third time and passed by the following vote :

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Mr. Speaker—37.

NAYS—0.

Absent—Messrs. Beck, Burlingame, Fuller, Harris, Organ, Smith, Trousdale, Willard, Williams—9.

Mr. Brown moved that the announcement of the vote on the Governor's veto be postponed until Monday, February 27th, 1871.

Mr. Lockwood moved a call of the House.

Roll called. Absent—Messrs. Smith, Organ, Trousdale and Willard.

Messrs. Organ, Trousdale and Willard appearing at the bar of the House were, on motion, admitted to their seats.

Mr. Willard moved that further proceedings of the call of the House be dispensed with. Lost.

Mr. Smith appearing at the bar of the House was, on motion, admitted to his seat.

Roll called, and the motion of Mr. Brown carried by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, Owen, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant—24.

NAYS—Messrs. Beck, Buckingham, Child, Cowen, Dangberg, Ellyson, Garaghan, Greenhalgh, Jones, Manning, McClelan, McLeod, Murphy, Organ, Savage, Simpson, Trousdale, Wagner, Willard, Williams, Mr. Speaker—21.

Absent—Mr. Fuller.

Mr. Bowman moved that the House go into Committee of the Whole for the consideration of the general file.

Carried.

Mr. Bowman in the chair.

In time the committee rose and reported as follows :

Mr. Speaker:

The Committee of the Whole have had under consideration “Assembly Concurrent Resolution relating to mail service from Wadsworth to Belmont, Nevada,” report back, and its passage recommended as amended ; also, Assembly Bill No. 103: “An Act to provide for greater security of property against loss by fire,” reported back, and laid on table temporarily : also, Senate Bill No. 58: “An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada,” reported back, with recommendation that it be printed, and be made the special order for Friday evening at 7 o'clock ; also, Assembly Bill No. 54: “An Act to grant the right of way to A. L. Page, and others, to build and

maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln," reported back amended, and recommended that it be made the special order for Friday evening at 7 o'clock; also, Assembly Bill No. 113: "An Act granting aid to the Sierra Seminary," recommended that it be laid on the table temporarily; Assembly Bill No. 114: "An Act to amend an Act entitled 'An Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled 'An Act to provide for the appointment of Notaries Public,'" recommend that it be laid temporarily on the table.

Report received and adopted.

At 4:15 p. m., on motion of Mr. Rogers, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest :

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-EIGHTH DAY.

WEDNESDAY, February 8th, 1871.

Assembly met at 10:30 A. M. Speaker Lowery in the chair.

Roll called. Absent—Mr. Organ.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker :

Your Standing Committee on Federal Relations, to whom was referred Senate Concurrent Resolution No. 85, relative to the employment of Chinese in the United States Branch Mint in Carson City, Nevada, herewith return the same, and recommend that it be amended by inserting in line seven, after the word "branch," the word "mint," and after "Nevada," line eight, the following: "or upon any Government works in the State of Nevada. The Governor of this State is respectfully requested to cause to be forwarded to the Senators and Representative aforesaid, copies of the resolution."

The committee further recommend that the resolution, with the above amendments, do pass.

Respectfully,
THOS. H. WILLIAMS,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 81, entitled an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, have had the same under consideration, beg leave to report the same back, and recommend that the usual number of copies be printed, and without recommendation [as] to its passage.

Respectfully,
J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your select committee, composed of the White Pine delegation, to whom was referred Assembly Bill No. 117, an Act supplementary to an Act to repeal an Act of the Legislature of the State of Nevada entitled "An Act to incorporate the town of Hamilton," approved March 6th, 1869, have had the same under consideration, and beg leave to report the same back, with amendments (as ordered printed), and recommend its passage.

JOHN WAGNER,
C. H. PATCHEN,
P. P. CANAVAN,
W. BROWN,
THOS. J. TENNANT.

Mr. Speaker:

The undersigned members of your select committee, to whom was referred Assembly substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund," beg leave to report a *substitute bill* for Assembly substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund," and recommend its passage.

THOS. J. TENNANT,
THOS. H. WILLIAMS.

Mr. Speaker:

The majority of the Washoe delegation, to whom was referred Senate Bill No. 61, entitled "An Act to change the county seat of Washoe County," respectfully report that they have had the same under consideration and report the same back to the House, and recommend that it pass, without amendment.

A. J. HATCH,
H. H. HOGAN.

Mr. Beck asked till to-morrow to make minority report. Granted.

Mr. Speaker:

Your select committee having had under consideration Assembly Bill No. 62, an Act to amend an Act entitled "An Act to re-district the State of Nevada," respectfully report the same back to the House, and recommend its passage, with the following amendments: In line sixteen, page one, after the words "five thousand," insert the words "five hundred;" in page two, line one, after the word "all," insert the words "the said judicial;" in page two, line three insert the word "judicial" between the words "seventh" and "district."

All of which is respectfully submitted.

M. B. GARAGHAN,
Chairman.

Mr. Tennant gives notice that, on some future day, he will introduce a bill to authorize the County Commissioners of White Pine county to purchase the "Irvine Toll Road," in said county.

The following message was received from the Hon. the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 7th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly

Bill No. 6, and to inform your honorable body that the report of the Committee of Conference recommending that the Senate recede from its amendment to said bill, which was non-concurred in by the Assembly, was this day adopted.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 7th, 1871. }

To the Honorable the Assembly;

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 105, relative to printing reports of Committee on Title to the Capitol grounds, of the Committee on Title to the State Prison grounds, and the report of the Board of Capitol Building Commissioners, which this day passed the Senate by the following vote: Yeas, 18; nays, 0.

Also, Senate Bill No. 92: "An Act in relation to damages in certain cases," the same having this day passed the Senate by the following vote: Yeas, 14; nays, 6.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 105, relative to printing reports of Committee on Title to Capitol grounds.

Read, and referred to Committee on Public Printing.

Senate Bill No. 92: "An Act in relation to damages in certain cases."

Rules suspended; read first and second times by title, and referred to the Judiciary Committee.

Mr. Bowman introduced Assembly Bill No. 127: An Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Bowman introduced Assembly Bill No. 128: "An Act to tax and regulate foreign insurance companies doing business in this State."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Incorporations.

Mr. Hatch introduced Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Lands.

Mr. Dangberg introduced Assembly Bill No. 130: An Act to amend an Act entitled "An Act to regulate rafting and running timber and wood on the rivers of State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements.

Mr. Simpson introduced Assembly Bill No. 131: "An Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes."

Read the first time; rules suspended; read the second time by title, and referred to Esmeralda delegation, with instructions to print.

Mr. Jones introduced Assembly Bill No. 132: "An Act supplemental to "An Act to provide for incorporations of railroad companies, and the management of the affairs thereof, and other matters relating thereto."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole, on Friday evening next, with instructions to print.

By Mr. Hatch:

Resolved, by the Senate and the Assembly of the State of Nevada jointly, That our representatives in Congress be requested to use such effort as may seem to them necessary to secure the annexation to Nevada of all of Utah lying west of the thirty-fourth degree of longitude; also, all that portion of Arizona lying north of the Colorado river.

Resolved, That his Excellency the Governor be requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress.

At 11:30, the House resolved itself into Committee of the Whole, for the consideration of general file.

Mr. Beck in the chair.

In time, the committee rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 98: "An Act to promote the introduction and use of steam power, for transportation purposes, on common roads in the State of Nevada," reported back, with amendments, and recommend its passage as amended; also Assembly Bill No. 80: "An Act to protect ranchmen, cattle dealers and butchers," reported back with amendments, and recommend that it be engrossed and passed as amended.

Report adopted.

Speaker Lowery in the chair.

On motion, Assembly Bill No. 80: "An Act to protect ranchmen, cattle dealers and butchers," be ordered engrossed for its third reading.

At 2:45 p. m. House took a recess for one hour.

AFTERNOON SESSION.

Speaker Lowery in the chair.

Roll called—Quorum present.

On motion of Mr. Hay the House resolved itself into Committee of the Whole for the consideration of general file.

Mr. Brown in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 84: "An Act entitled An Act for the relief of James Leffingwell, Sheriff of Lander County," reported back, and recommend its passage as amended; also, substitute for Senate Bill No. 6: "An Act supplementary to, and amendatory to, an Act entitled 'An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, to create counties, etc.,'" reported back, and passage recommended; also, substitute for Senate Bill No. 38: "An Act concerning stock running at large

unlawfully;" substitute amended, adopted, and its passage recommended as amended; also, Senate Bill No. 67: "An Act authorizing a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debt, and place the State upon a permanent cash basis," report progress, and ask leave to sit again.

Report received.

Mr. Tennant gives notice that, on to-morrow, he will introduce a Joint Resolution acknowledging aid from the French people during the early settlement of America, and asking that one day's per diem of each Assemblyman and Senator be donated to the destitute and suffering French people now needing our charity and sympathy.

Mr. Bowman moved that Assembly Bill No. 112: "An Act to regulate the business of pawnbrokers in the State of Nevada," be reported back from the Committee on Ways and Means.

Mr. Savage, chairman from Committee on Ways and Means, reported the bill back to the House without consideration or recommendation.

Mr. Smith allowed to withdraw bill, to amend.

Mr. Williams asked that Assembly Bill No. 64: "An Act to amend section fifty-eight of the revenue Act," be taken from the table for immediate consideration.

On motion the bill was placed upon its third reading and final passage.

Mr. Potter moved that a special committee of one be appointed to amend the bill.

Mr. Speaker appointed Mr. Potter as such committee, who reported he had performed his duty.

Bill read third time as amended, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Potter, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Barber, Buckingham, Burlingame, Ellyson, Lawson, Organ, Piper, Savage—8.

The following messages were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 8th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Joint Resolution, relative to appointing a committee to establish a basis of representation, the same having this day passed the Senate, by the following vote: Yeas, 19; nays, 2.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Resolution read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 8th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 103: "An Act requiring State officers to prepare and transmit to the Legislature duplicates of all reports intended for publication," which has this day passed the Senate, by the following vote: Yeas, 15; nays, 4. Also, substitute for Senate Bill No. 90: "An Act to legalize certain acts of the Board of County Commissioners of Elko County," the same having this day passed the Senate, by the following vote: Yeas, 20; nays, 1.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 103: read the first time; rules suspended; read the second time by title, and referred to Committee on Public Printing.

Substitute for Senate Bill No. 90: read the first time; rules suspended; read the second time by title, and referred to Elko delegation.

At 5:20 p. m., on motion of Mr. Willard, the House adjourned.

ROBERT E. LOWERY,

Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—THIRTY-NINTH DAY.

THURSDAY, February 9th, 1871.

House met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. All present.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker :

Your Standing Committee on Enrollment respectfully report that they have had under consideration Assembly Bill No. 7: "An Act to amend an Act for the incorporation of railroad companies and the management of the affairs thereof," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,

Chairman Committee on Enrollment.

Mr. Speaker:

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared substitute for Assembly Bill No. 29: "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and have found the same correctly engrossed.

C. H. PATCHEN,

Chairman.

Mr. Speaker :

Your Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 65, entitled "An Act in relation to public highways," beg leave to say that they have considered the matter of the bill, and herewith report a substitute, and recommend its passage.

D. MURPHY,
Chairman.

Mr. Speaker :

Your special committee, consisting of the White Pine delegation, beg leave to report that they have had under consideration Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County," and recommend its passage.

JOHN WAGNER,
P. P. CANAVAN,
W. BROWN.

Mr. Speaker :

Your select committee, composed of the Washoe delegation, to whom was referred Senate Bill No. 42, entitled "An Act to prevent the destruction of fish in the waters of Nevada," beg leave to report the same back, with the recommendation that it pass with the following amendment: After the word "dollars," at the end of section two, insert as follows: "Provided that nothing in this section shall be deemed to refer to Carson River, Reese River, or Humboldt River, in this State."

Respectfully, etc.,

H. H. BECK,
A. J. HATCH,
H. H. HOGAN.

Mr. Speaker :

The minority of your special committee, composed of the Washoe delegation, to whom was referred Senate Bill No. 61, entitled "An Act to change the county seat of Washoe County," beg leave to report the same back to the House, with the recommendation that it do not pass, for the following reasons, to wit:

First, Because it requires special legislation which, under our Constitution, is directly prohibited in cases where general legislation can be made to apply.

Second, Because this House has passed a general law under which the people of said county can fix or locate the county seat thereof, in such manner as will convenience the best interests of a majority of its citizens.

Third, Because a majority of the members of this House are not supposed to know what the local requirements of the people of Washoe County are, and for that reason cannot understandingly vote on a proposition like [the] one presented in the bill under consideration.

Fourth, Because of the unsettled condition of different business pursuits and the habits of the people, rendering it possible that a majority of the citizens of the county will require the county seat to be removed back to its present location within the next twelve months.

While the undersigned is ready to admit that at the present time a majority of the citizens of said county would be best served if the county seat were at Reno, he will not admit that such condition is permanent.

Respectfully,

H. H. BECK.

Mr. Williams asked leave to introduce a bill, without previous notice :
 “An Act to amend section thirteen of the Act entitled ‘An Act relating to elections, the manner of conducting and contesting the same, election returns and canvassing the same, fraud upon the ballot box, destroying or attempting to destroy the ballot box, illegal or attempted illegal voting, and misconduct at elections.’”

Read the first time ; rules suspended ; read the second time by title, and referred to Committee of the Whole, with instructions to print.

Also, Assembly Bill No. 139: “An Act to repeal section thirteen of an Act entitled ‘An Act to provide for the registration of the names of electors and to prevent fraud at elections.’”

Read the first time ; rules suspended ; read the second time by title; considered engrossed; read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Greenhalgh, Harris, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—Messrs. Garaghan, Hatch, Hay, Lawson, Likens, Owen, Potter, Rogers, Roney, Saville, Smith—11.

Absent—Messrs. Burlingame, Gray—2.

Mr. Speaker :

Your Standing Committee on Public Printing, to whom was referred Senate Concurrent Resolution No. 105, have had the same under consideration, and beg leave to report the same back to this House, with the recommendation that it be concurred in.

M. R. DELANO,
 Chairman.

Mr. Speaker :

Your Standing Committee on Public Printing, to whom was referred Senate Bill No. 103, have had the same under consideration, and beg leave to report the same back to this House, with the recommendation that it do pass.

M. R. DELANO,
 Chairman.

Mr. Harris asked leave of absence for the remainder of the day.
 Granted.

Assembly Bill No. 98: “An Act to provide for the introduction and use of steam power for transportation purposes on common roads in the State of Nevada.”

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—42.

NAYS—Messrs. Dangberg, Likens, Manning, Willard—4.

At 1:40 P. M. the House took a recess for one hour.

AFTERNOON SESSION.

House met at 2:40 P. M. Speaker Lowery in the chair.

Roll called. Quorum present.

Mr. Hogan asked leave to introduce a bill, without previous notice, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

Mr. Tennant asked leave to introduce, without previous notice, Assembly Bill No. 142: "An Act to provide for the taxation of the proceeds of mines."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

An Act for the relief of James Leffingwell, Sheriff of Lander County, in the years 1865 and 1866.

Rules suspended; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Piper, Potter, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Cowen, Dovey, Harris, Murphy, Owen, Rogers, Saville, Willard—8.

Assembly Bill No. 57, substitute for Senate Bill No. 38, entitled "An Act concerning stock running at large unlawfully."

Rules suspended; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Potter, Rogers, Roney, Savage, Simpson, Smith, Trousdale, Wagner, Willard, Williams—39.

NAYS—Messrs. Brown, Dovey, Patchen, Tennant, Mr. Speaker—5.

Absent—Mr. Harris—1.

Assembly Concurrent Resolution No. 101, relating to mail service from Wadsworth to Belmont.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—41.

NAYS—0.

Absent—Messrs. Burlingame, Fuller, Harris, Jones, Saville—5.

Assembly Bill No. 143, introduced by Mr. Savage: "An Act to establish and define the boundary lines of Elko county."

Read the first time; rules suspended; read the second time by title, and referred to the Elko and Lander delegations.

Substitute for Senate Bill No. 6: An Act supplementary to and amendatory of an Act entitled "An Act to amend an Act of the Legislative Assembly of the Territory of Nevada, entitled 'An Act to create counties and establish the boundaries thereof.'"

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Child, Cowen, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Roney, Savage, Saville, Simpson, Smith, Tennant, Willard, Williams, Mr. Speaker—34.

NAYS—Messrs. Canavan, Organ, Potter, Trousdale, Wagner—5.

Absent—Messrs. Buckingham, Burlingame, Dangberg, Fuller, Harris, Hatch, Rogers.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 9th, 1871. }

To the Honorable the Assembly of Nevada:

It is with regret that I feel constrained to return to your House, in which it originated, the bill entitled "An Act to create Legislative Funds," with my objections to its becoming a law.

In my message to the Senate of the twenty-seventh January last, I stated the reasons for withholding my approval of a bill of the same nature and title. The Senate bill differed from the present one only in the rate of interest, and in placing the contingent funds in the custody of the Sergeant-at-Arms of either House, instead of the State Treasurer. None of the constitutional objections urged to the Senate bill are obviated by the present one, and in policy and expediency they do not differ. Senate Bill No. 7 and the bill now presented to me involve the same principles, and will operate alike for the same reasons, therefore, that I have already declared such a bill could not receive my sanction, I return this.

L. R. BRADLEY,
Governor.

Mr. Tennant moved a call of the House.

Roll called. Absent—Messrs. Beck, Buckingham.

Mr. Beck appearing at the bar of the House, was, on motion, admitted to his seat. The Sergeant-at Arms brought in Mr Buckingham, who was admitted to his seat

Mr. Speaker put the question to the House: Shall the bill become a law, notwithstanding the objections of the Governor? passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, McClelan, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Willard—32.

NAYS—Messrs. Child, Cowen, Dangberg, Greenhalgh, Jones, Manning,

McLeod, Murphy, Savage, Simpson, Trousdale, Wagner, Williams, Mr. Speaker—14.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 9th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body Substitute for Senate Bill No. 29: "An Act to provide for the payment of the salaries of certain county officers," which this day passed the Senate by the following vote: Yeas, 19; nays, 2.

Also, Senate Bill No. 108: An Act to amend an Act entitled "An Act defining the duties of State Controller," approved February 24th, 1866, which this day passed the Senate by the following vote: Yeas, 16; nays, 0.

Also, Senate Bill No. 109: An Act to amend an Act entitled "An Act defining the duties of State Treasurer," approved February 2d, 1866, which this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Also, Senate Bill No. 110: An Act supplemental to an Act entitled "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," approved April 2d, 1867, and providing for the payment of claim of Britton & Gray, the same having this day passed the Senate by the following vote: Yeas, 18; nays, 3.

Also, Senate Concurrent Resolution No. 114, relative to turning over to the Superintendent of Public Instruction the desks formerly used by the Legislature, for distribution among the public schools, the same having this day passed the Senate by the following vote: Yeas, 19; nays, 0.

I also have the honor to return Assembly Bill No. 2, which was this day indefinitely postponed by the Senate.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Substitute for Senate Bill No. 29: "An Act to provide for the payment of the salaries of certain county officers."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means.

Senate Bill No. 108: "An Act to amend an Act entitled 'An Act defining the duties of State Controller.'"

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Senate Bill No. 109: "An Act to amend an Act entitled 'An Act defining the duties of State Treasurer.'"

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Senate Bill No. 110: "An Act supplemental to an Act entitled 'An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Lands.

Senate Concurrent Resolution No. 114, relative to turning over to the Superintendent of Public Instruction the desks formerly used by the Legislature.

Read the first time ; rules suspended ; read the second time by title, and referred to Committee on State Institutions.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 9th, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved and deposited with the Secretary of State, Assembly Bill No. 7, entitled "An Act to amend an Act entitled 'An Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto,' approved March 22d, 1865."

L. R. BRADLEY,
Governor.

On motion of Mr. Owen, the House resolved itself into Committee of the Whole.

Mr. Owen in the chair.

In time the Committee rose and reported as follows :

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Concurrent Resolution No. 83, report back, and passage recommended.

Speaker *pro tem.*, Mr. Tennant, in the chair.

Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum."

Pending the reading of which, on motion of Mr. Bowman, the House adjourned at 3:50 P. M.

ROBERT E. LOWERY,
Speaker.

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY — FORTIETH DAY.

FRIDAY, February 10th, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called—All present.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker presented a petition from the citizens of Pioche, Lincoln County.

Mr. Simpson presented a petition from the taxpayers and citizens of Esmeralda County.

Mr. Cowen presented a petition from mechanics and laborers engaged on the construction of the Capitol buildings.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 23: "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Speaker :

Your Standing Committee on Internal Improvements, to whom was referred Senate Bill No. 44: "An Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and the management of the affairs of the same, and other matters relating thereto,'" approved March 22d, 1865, beg leave to herewith report the same back to the House, with the recommendation that it do pass.

D. MURPHY,
Chairman.

The Standing Committee on Internal Improvements, to whom was referred Assembly Bill No. 125, an Act to amend an Act entitled "An Act to construct and maintain toll roads in the State of Nevada," beg leave to report that they have had the same under consideration and herewith report the same back, with the recommendation that it pass, with the following amendments: In line nineteen, section three, strike out the word "five," and insert in lieu thereof "two;" also, strike out all of line twenty and the words "Board of County Commissioners" in line twenty-one; also, between the words "bridge" and "the," in line eighteen, insert the following: "which reduction shall not be made until after due notice to the owner or owners of such road or bridge shall be given," and before "Commissioners" insert "County."

D. MURPHY,
Chairman.

Mr. Speaker :

The Standing Judiciary Committee herewith return Assembly Bill No. 66: "An Act concerning terms of Court in the several Judicial Districts of this State," and a substitute therefor.

The committee recommend the adoption and passage of the substitute.

The committee also return Assembly Bill No. 105: "An Act securing liens to mechanics and others," and recommend that it do not pass.

The committee suggest that the bill embraces some meritorious features, which they approve, but in other respects it is very defective.

The committee found that to remedy the defects of the bill would require an entire substitute, which labor they decline to perform. They have, however, to suggest that a bill simply giving a lien to mechanics and others improving or repairing personal property and requiring the lien to be enforced in the Courts of competent jurisdiction, if introduced, ought to become a law.

The committee also return Assembly Bill No. 43, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, with the following amendments, to-wit: Strike out the words "in the Territory of Nevada, approved November twenty-ninth, one thousand eight hundred and sixty-one," lines two, three and four, section one, and insert in lieu thereof the following: "of this State, and to repeal all other Acts in relation

thereto, approved March 8th, 1869." Strike out the word "conclusive," line eleven, same section, and insert in lieu thereof "prima facie." At the beginning of line seven, same section, page two, insert "real." Same page, line thirteen, strike out "third" and insert "ten."

The committee recommend the passage of the bill as amended.

Respectfully,

THOS. H. WILLIAMS, etc.,
Chairman.

Mr. Hogan gives notice that he will, on some future day, ask leave to introduce a joint resolution asking Congress to pass a law requiring the Central Pacific Railroad lands in this State to be listed over to said company, as fast as said lands are surveyed.

Mr. Tennant gives notice that he will, on some future day, ask leave to introduce a bill for an Act to annex the northern portion of Nye County to White Pine County, for all purposes, except Legislative and Judicial.

Mr. Lockwood gives notice that on to-morrow he will offer a new rule, relative to absentees.

Mr. Gray introduced Assembly Bill No. 149: "An Act providing for the payment of interest on claims against counties."

Read the first time; rules suspended; read the second time by title, and ordered printed.

Mr. Hatch introduced Assembly Bill No. 150: "An Act to provide for the incorporation of towns in the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Corporations, with instructions to print.

Mr. Speaker :

Your select committee composed of the Humboldt delegation, to whom was referred Senate Bill No. 47, entitled "An Act to provide for the payment of certain indebtedness of Humboldt County," beg leave to report that they had the same under consideration and report the same back to the House, without amendments, and unanimously recommend its passage.

THOMAS HARRIS,
W. A. TROUSDALE,
JOSEPH ORGAN.

Substitute for Assembly Bill No. 66, an Act to amend an Act entitled "An Act concerning the Courts of Justice of this State, and judicial officers."

Substitute adopted; rules suspended; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—43.

NAYS—0.

Absent—Messrs. Beck, Burlingame, Potter—3.

Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Asylum."

Laid temporarily on the table.

Mr. Buckingham asked leave of absence for two days. Leave granted.

Substitute for Assembly Bill No. 29: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Murphy, Potter, Roney, Savage, Saville, Simpson, Trousdale, Wagner, Mr. Speaker—31.

NAYS—Mr. Likens—1.

Absent—Messrs. Beck, Buckingham, Cowen, Delano, Gray, Owen, Organ, Patchen, Piper, Rogers, Smith, Tennant, Willard, Williams—14.

Speaker *pro tem*. Tennant in the chair.

Assembly Bill No. 23: "An Act to secure liens to mechanics and others."

Reported back; considered engrossed; read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Bowman, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard—38.

NAYS—0.

Absent—Messrs. Beck, Buckingham, Burlingame, Canavan, Owen, Organ, Williams, Mr. Speaker—8.

Mr. Speaker :

Your select committee, to which was referred Assembly Bill No. 143, entitled "An Act to establish and define the boundary line of Elko County," having had the same under consideration report the same back, and recommend that the substitute herewith submitted do pass.

Respectfully,

J. W. ELLYSON,
J. A. SAVAGE,
T. J. JONES,
S. L. FULLER,
H. A. WILLARD.

Assembly Substitute Bill No. 143: "An Act to establish and define the boundary line of Elko County."

Substitute adopted; rules suspended; considered engrossed; read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Bowman, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—37.

NAYS—0.

Absent—Messrs. Beck, Buckingham, Burlingame, Cowen, Hatch, Murphy, Owen, Organ, Williams—9.

By Mr. Jones :

Resolved, That the Sergeant-at-Arms be instructed to place, in the room adjoining his room, two old desks now at the old Capitol rooms, for the use of the journal clerk.

Adopted.

At 12:45, on motion of Mr. Bowman, the House resolved itself into Committee of the Whole for the consideration of general file.

Mr. Lockwood in the chair.

In time the Committee rose and reported as follows :

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 118, and recommend that it be laid temporarily on the table; also, Senate Bill No. 67, passed over for future action; also, Assembly Bill No. 62: "An Act to amend an Act entitled 'An Act to re-district the State of Nevada,'" report the same back, and recommend that it be laid temporarily on the table; also, Assembly Substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund," report the same back, and recommend its engrossment and final passage.

Report received and adopted.

Mr. Likens asked leave of absence for Saturday. Granted.

Mr. Savage asked leave to make report of special committee. Granted.

Mr. Speaker:

Your select committee, to which was referred Substitute for Senate Bill No. 90, entitled "An Act to legalize certain acts of the Board of County Commissioners of Elko County," have had the same under consideration, beg leave to report the same back, with the recommendation that it do pass.

Respectfully,

J. A. SAVAGE.

J. W. ELLYSON.

Mr. Brown moved that the special orders fixed for to-night, be postponed till 12 o'clock to-morrow.

Mr. Gray moved to amend by postponing until 7 o'clock, Monday night. Amendment agreed to.

Mr. Potter moved that the Judiciary Committee be requested to report Senate Bill No. 60 back to this House to-morrow morning.

Agreed to.

On motion, the resolution offered by Mr. Speaker, and temporarily laid on the table, was taken from the table, and by consent was withdrawn.

Mr. Piper asked leave of absence for half an hour. Leave granted.

Assembly Substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund."

Read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan,

McLeod, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Mr. Speaker—33.

NAYS—0.

Absent—Messrs. Barber, Buckingham, Burlingame, Brown, Hatch, Murphy, Owen, Organ, Patchen, Piper, Wagner, Willard, Williams—13.

Mr. Lowery gives notice that he will, on some future day, ask leave to introduce a bill for an Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, and the Acts amendatory thereof.

Substitute for Senate Bill No. 90: "An Act to legalize certain acts of the Board of County Commissioners of Elko County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Canavan, Child, Cowen, Dangberg Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Willard, Mr. Speaker—33.

NAYS—0.

Absent—Messrs. Barber, Buckingham, Burlingame, Brown, Delano, Hatch, Murphy, Owen, Organ, Patchen, Piper, Wagner, Williams—13.

At 1:50 P. M. the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest :

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-FIRST DAY.

SATURDAY, February 11th, 1871.

House met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. Absent—Messrs. Lawson, Murphy, Organ and Trousdale.

Mr. Piper asked leave of absence for Mr. Lawson for one day. Granted.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

The Speaker appointed as Conference Committee from the House on the subject matter of difference between the two Houses on Senate Substitute for Assembly Bill No. 2, "An Act relative to the incorporation of railroad companies," Messrs. Tennant, Savage and Jones.

Mr. Speaker :

Your Standing Committee on Public Lands to whom was referred Senate Bill No. 110, entitled "An Act supplemental to an Act entitled 'An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada, approved April 2d, 1867,' and providing for the payment of the claim of Britton & Gray," have had the same

under consideration, and herewith return the same, and recommend that it pass.

A. J. HATCH,
Chairman.

Mr. Speaker :

The Standing Committee on State Institutions, to which was referred Assembly Bill No. 76, entitled "An Act relating to accounts with the State," having considered the same, would respectfully recommend its passage.

Also, Senate Concurrent Resolution No. 114, relative to turning over to the Superintendent of Public Instruction the desks formerly used by the Legislature, and would recommend its passage.

J. M. GRAY,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 141, entitled "An Act to amend an Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, have had the same under consideration, beg leave to report the same back, and recommend that the usual number of copies be printed, and that it do pass.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Mr. Jones gives notice that he will, on some future day, ask leave to introduce a bill for an Act to encourage the running of a deep draining and exploring tunnel in Lander County, State of Nevada, for the use and benefit of the Union Pacific Tunnel Company.

Mr. Hogan asked leave to introduce a bill, without previous notice, Assembly Bill No. 151: "An Act fixing the salaries of the different County Treasurers of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Washoe delegation.

Mr. Organ introduced Assembly Bill No. 152: "An Act to amend an Act entitled An Act to amend an Act entitled An Act to amend an Act entitled An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Humboldt delegation.

Mr. Hay asked leave of absence for the remainder of the day. Leave granted.

Mr. Organ introduced, without previous notice, Assembly Bill No. 153: "An Act entitled 'An Act taxing the gross proceeds of mines.'"

Read the first time; rules suspended, read the second time by title, and referred to Committee on Ways and Means.

Mr. Garaghan asked leave to introduce, without previous notice, Assembly Bill No. 154: "An Act to provide for the removal of the county seat of Lincoln County."

Read the first time.

Mr. Lockwood moved that the rules be suspended, the bill read second time by title, and placed upon its third reading and final passage.

Mr. Lowery moved to amend by referring to the Committee of the Whole.

Amendment lost by the following vote :

YEAS—Messrs. Brown, Dangberg, Greenhalgh, Hatch, Hogan, Owen, Patchen, Savage, Saville, Simpson, Trousdale, Mr. Speaker—12.

NAYS—Messrs. Beck, Bowman, Child, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Potter, Rogers, Tennant, Wagner, Williams—23.

Absent—Messrs. Barber, Buckingham, Burlingame, Canavan, Hay, Lawson, Likens, Piper, Roney, Smith, Willard—11.

Mr. Lockwood's motion was lost by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Harris, Jones, Lockwood, Manning, McClelan, Murphy, Potter, Rogers, Roney, Saville, Tennant, Wagner, Willard, Williams—23.

NAYS—Messrs. Brown, Child, Greenhalgh, Hatch, Hogan, McLeod, Owen, Organ, Patchen, Savage, Simpson, Trousdale, Mr. Speaker—13.

Absent—Messrs. Buckingham, Burlingame, Canavan, Dovey, Fuller, Hay, Lawson, Likens, Piper, Smith—10.

Mr. Garaghan moved that the rules be suspended and the bill read second time by title, and referred to Lincoln County delegation with instructions to report immediately.

Carried.

Assembly Bill No. 54: "An Act to amend an Act to provide revenue for the support of the government of the State of Nevada," approved March 1st, 1866.

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

Mr. Garraghan submitted the following report :

Mr. Speaker :

Your special committee, to whom was referred Assembly Bill No. 154, beg leave to report that the bill be considered engrossed, and placed upon its third reading and final passage.

Respectfully, etc.,

GARAGHAN.

The report was agreed to.

On motion, the rules were suspended by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Harris, Hatch, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Piper, Potter, Rogers, Roney, Smith, Tennant, Trousdale, Wagner, Williams—21.

NAYS—Messrs. Greenhalgh, Owen, Savage, Saville, Simpson, Mr. Speaker—6.

Absent—Messrs. Buckingham, Burlingame, Brown, Dovey, Fuller, Hay, Lawson, Likens, Willard—9.

And the question being: Shall the bill pass as ordered by the House? it was read a third time, and lost by the following vote:

YEAS—Messrs. Barber, Beck, Delano, Hay, Harris, Lockwood, Manning, McClelan, McLeod, Rogers, Roney, Tennant—12.

NAYS—Messrs. Bowman, Brown, Canavan, Child, Dangberg, Ellyson, Garaghan, Greenhalgh, Hatch, Hogan, Jones, Murphy, Owen, Organ, Patchen, Piper, Savage, Saville, Simpson, Smith, Trousdale, Wagner, Williams, Mr. Speaker—25.

Absent—Messrs. Buckingham, Burlingame, Cowen, Dovey, Fuller, Hay, Lawson, Likens, Willard—9.

Mr. Garaghan gave notice that he would move to reconsider the vote by which the foregoing bill was defeated.

Mr. Owen moved to adjourn.

Lost.

Mr. Garaghan moved a call of the House.

Lost.

Mr. Hogan moved that the House take a recess for one hour.

Lost.

An Act to amend an Act entitled "An Act to provide revenue for the support of the government of State of Nevada."

Mr. Beck moved to amend by striking out the word "two and insert "four."

Carried by the following vote:

YEAS—Messrs. Barber, Beck, Brown, Child, Dangberg, Ellyson, Greenhalgh, Harris, Hatch, Hogan, Jones, Lockwood, Owen, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Willard, Williams—21.

NAYS—Messrs. Bowman, Canavan, Delano, Garaghan, Gray, Manning, McClelan, McLeod, Organ, Patchen, Piper, Potter, Wagner—13.

Absent—Messrs. Buckingham, Burlingame, Cowen, Dovey, Fuller, Hay, Lawson, Likens, Murphy, Rogers, Roney, Mr. Speaker—12.

Mr. Greenhalgh moved to indefinitely postpone the third reading, and final passage of the bill.

Carried by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Dangberg, Delano, Ellyson, Greenhalgh, Harris, Hatch, Hogan, Jones, Lockwood, McLeod, Owen, Piper, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—28.

NAYS—Messrs. Fuller, Garaghan, Gray, Manning, McClelan, Organ, Patchen, Potter—8.

Absent—Messrs. Buckingham, Burlingame, Cowen, Dovey, Hay, Lawson, Likens, Murphy, Rogers, Roney—10.

Mr. Speaker.

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 80: An Act to protect ranchmen, cattle-dealers and butchers, and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

The following message was received from the Honorable the Senate;

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 10th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly

Concurrent Resolution No. 101, relative to mail service from Wadsworth to Belmont, which passed the Senate this day by the following vote: Yeas, 20; nays, 0.

I am also directed to return Assembly Substitute for Assembly Bill No. 9: "An Act to amend an Act entitled 'An Act prescribing rules and regulations for the execution of trust arising under the act of Congress, entitled An Act for the relief of the inhabitants of cities and towns on public lands, approved March 2d, 1867' approved February 20th, 1869," with the following amendments proposed thereto; In line one, section one, strike out the word "thirty" and insert the word "ninety" before the word "days."

Also, strike out all after the word "owner" in line twenty-six, section three, to line thirty-five inclusive, and insert in lieu thereof the following: "for counsel fees, and for moneys expended in the acquisition of the title and the administration of the trust, including reasonable charges for time and services while employed in such trust, not exceeding the sum of one dollar for each lot; *provided*, that no estimate shall be made for counsel fee, unless the same shall have been actually and necessarily expended; and the foregoing charges shall be full payment for all expenses attending the execution, except for revenue stamps."

Also, the following additional sections, numbered four, five and six, (see bill), the same having this day passed the Senate as amended by the following vote: Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

The question being: "Shall the Senate amendments be concurred in." The House refused to concur by the following vote:

YEAS—Mr. Beck—1.

NAYS—Messrs. Barber, Bowman, Brown, Child, Cowen, Dangberg, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lockwood, Manning, McClellan, McLeod, Murphy, Owen, Piper, Potter, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—30.

Absent—Messrs. Buckingham, Burlingame, Canavan, Delano, Dovey, Fuller, Hay, Lawson, Likens, Organ, Patchen, Rogers, Roney, Smith, Mr. Speaker—15.

Upon which Mr. Speaker appointed a committee of conference to confer with Senate Committee in relation to substitute for Assembly Bill No. 9, composed of Messrs. Lockwood, Tennant and Williams.

On motion of Mr. Lockwood, the House adjourned at 2:30 P. M.

ROBERT E. LOWERY,

Speaker.

Attest:

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-THIRD DAY.

MONDAY, February 13th, 1871.

House met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. Absent—Mr. Roney.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of Saturday, February 11th, read and approved.

Mr. Speaker :

The Standing Judiciary Committee herewith return Senate Bill No. 20, with the following amendment: "Strike out section two, and insert in lieu thereof the section affixed to the bill, and recommend that the bill as amended do pass.

They also return Senate Bill No. 65: "An Act concerning exemption from jury duty," and recommend that it do pass. Also, Senate Bill No. 92: "An Act in relation to damages in certain cases." Section two relates to the same matters embraced in Senate Bill No. 20, and to some extent conflicts with its provisions. The committee therefore recommend that section two be stricken out and section three be amended so as to be section two; with these amendments they recommend that the bill do pass.

Respectfully,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker:

The Standing Judiciary Committee herewith return Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada," with a substitute therefor, and recommend the passage of the substitute bill.

The committee find there are not in the State Library a sufficient number of the statutes of the Territory for the year 1861 to meet the wants of State and county officers; they therefore deem it proper that some provision be made to supply the deficiency, and inasmuch as it is highly probable that one hundred copies of the acts mentioned will not be sufficient to supply the demand, the committee deem it prudent to accept the proposition of the State Printer herewith returned, and have drafted the substitute bill so as to meet that proposition.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker :

Your special committee, consisting of the Washoe delegation, beg leave to report that they have examined Assembly Bill No. 151, concerning salaries of County Treasurers, and would recommend that it pass.

H. H. HOGAN,

H. H. BECK,

A. J. HATCH.

By Mr. Bowman:

WHEREAS, The case of the State of Nevada vs. The bondsmen of the late

State Treasurer Rhoades will be argued in the Supreme Court to-day ; therefore,

Resolved, That a committee of three members of this House be appointed with instructions to attend said Court on said day for the purpose of hearing such argument.

Chair appointed Messrs. Bowman, Lockwood and Manning.

Mr. Tennant gives notice that, on some future day, he will introduce a bill to relieve certain persons in the counties of Lincoln and White Pine from the payment of taxes assessed in the years 1869 and 1870.

Mr. Speaker :

Your select committee, the Humboldt delegation, to whom was referred Assembly Bill No. 152, an Act to amend "An Act entitled an Act to amend an Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada, approved March 9th, 1865; approved March 11th, 1867;' approved March 3d, 1869," have had the same under consideration and report it back, recommending its passage.

JOSEPH ORGAN,
W. A. TROUSDALE,
THOMAS HARRIS,
Committee.

Pursuant to notice, Mr. Garaghan moved to reconsider the vote by which Assembly Bill No. 154: "An Act to provide for the removal of the county seat of Lincoln County," was lost.

The bill was referred to a committee of one for amendments ; reported back with amendments ; read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Potter, Rogers, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—Messrs. Bowman, Brown, Canavan, Hatch, Owen, Organ, Patchen, Piper, Savage, Saville, Smith—11.

Absent—Messrs. Buckingham, Murphy, Roney—3.

Mr. Speaker gave notice of a reconsideration of the vote by which the bill passed.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 10th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 125, calling on the Joint Committee on Treasury Defalcation for their report, which this day passed the Senate by a unanimous vote. Also, Senate Bill No. 120: "An Act to exempt property of certain charitable institutions from taxation," the same having this day passed the Senate by the following vote : Yeas, 21; nays, 0. Also, Senate Bill No. 89: "An Act to consolidate and fund the indebtedness of Elko County," which this day passed the Senate by the following vote : Yeas, 17; nays, 0. Also, Senate Bill No. 80:

"An Act to incorporate the town of Gold Hill," the same having this day passed the Senate by the following vote : Yeas 21; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 120: "An Act to exempt property of certain charitable institutions from taxation."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

The following communication was received from the State Printer :

STATE OF NEVADA, OFFICE OF THE STATE PRINTER, }
CARSON CITY, February 9th, 1871. }

To the Judiciary Committee of the Assembly of Nevada :

GENTLEMEN : Understanding from your chairman that the Legislature may desire a re-publication of the general statutes enacted by the Legislature (Territorial) of 1861, which are unrepealed and still in force, I make the following proposition : I will print six hundred copies of the statutes of 1861, containing the general Acts now in force, and bind the same with the Acts of 1871, for the sum of \$1,000. The Acts to be published may be designated by the Judges of the Supreme Court, or any commission appointed for that purpose.

Respectfully,

C. L. PERKINS,
State Printer.

Senate Bill No. 89: "An Act to consolidate and fund the indebtedness of Elko County."

Read the first and second times by title, and referred to Elko delegation.

Pursuant to previous notice, Mr. Burlingame introduced Assembly Bill: "An Act to restrict gaming."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Morals, with instructions to print.

By Mr. Cowen: "An Act supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

Senate Concurrent Resolution No. 125, relative to Committee on Defalcation.

Read the first time; rules suspended; read the second time by title, and concurred in by a unanimous vote.

Senate Bill No. 80: "An Act to incorporate the town of Gold Hill."

Rules suspended; read first and second time by title, and referred to the Gold Hill portion of Storey County delegation.

Assembly Bill No. 80: "An Act to protect ranchmen, cattle dealers and butchers."

Read the third time and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Potter, Rogers, Savage, Saville, Simpson, Tenant, Trousdale, Willard, Williams—34.

NAYS—Messrs. Dovey, Wagner—2.

Absent—Messrs. Burlingame, Delano, Garaghan, Murphy, Organ, Patchen, Piper, Roney, Smith, Mr. Speaker—10.

Moved by Mr. Owen that Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum," be taken from the table and made the special order for Thursday at 12 o'clock.

Carried.

At 12:30 P. M., on motion, the House took a recess for one hour.

AFTERNOON SESSION.

House met at 1:30 P. M.

Roll called. Quorum present.

Mr. Williams asked leave of absence for to-morrow. Granted.

Mr. Garaghan asked leave of absence till seven o'clock. Granted.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 110, entitled "A proposition to amend article ten of the Constitution of the State of Nevada," have had the same under consideration and report the same back, without recommendation.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 155, entitled an Act to amend an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 1st, 1866," have had the same under consideration, beg leave to report the same back and recommend that it do pass.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Senate Concurrent Resolution No. 85, relative to the employment of Chinese in the United States Branch Mint at Carson City, Nevada.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Canavan, Child, Cowen, Delano, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Savage, Simpson, Smith, Trousdale, Willard, Williams, Mr. Speaker—29.

NAYS—Messrs. Beck, Burlingame, Brown, Dangberg, Hatch, Lawson, Likens, Patchen, Wagner—9.

Absent—Messrs. Fuller, Garaghan, Piper, Potter, Rogers, Roney, Saville, Tennant—8.

Mr. Williams moved to reconsider immediately.

Motion lost.

Mr. Lockwood gave notice that he would, on to-morrow, move to reconsider the vote by which the resolution was concurred in.

On motion of Mr. Hogan, the House resolved itself into Committee of the Whole for the consideration of the general file. Mr. Owen in the chair.

In time the committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Assembly Bill No. 81, an Act in relation to the revenue laws, and report the same back and recommend that it be referred to a special committee, with instructions to insert an enacting clause. Also, Senate Concurrent Resolution No. 105, in relation to printing reports of committee on title to Capitol ground, Capitol Commissioners, and committee on title to Prison ground, and report the same back and recommend that it be concurred in. Also, Senate Bill No. 61: "An Act to change the county seat of Washoe County," and report the same back, with recommendation that it be considered engrossed and placed on its third reading and final passage.

Report received and adopted.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 13th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith return to your honorable body Assembly Bill No. 96: "An Act to create Legislative Funds," the same having this day passed the Senate, notwithstanding the objections of the Governor, by the following vote: Yeas, 16; nays, 7.

Respectfully, etc.,

CHAS. F. BICKNELL,
Secretary of Senate.

Senate Concurrent Resolution No. 105, relative to printing reports of Committee on title to Capitol grounds.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Piper, Potter, Rogers, Simpson, Trousedale, Willard, Mr. Speaker—32.

NAYS—Messrs. Cowen, Saville—2.

Absent—Messrs. Buckingham, Burlingame, Fuller, Garaghan, Hay, Patchen, Roney, Savage, Smith, Tennant, Wagner, Williams—12.

Senate Bill No. 61: "An Act to change the county seat of Washoe County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Brown, Canavan, Child, Dovey, Ellyson, Gray, Greenhalgh, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Piper, Potter, Rogers, Saville, Simpson, Smith, Mr. Speaker—26.

NAYS—Messrs. Barber, Cowen, Dangberg, Delano, Harris, Organ, Trousedale, Wagner, Willard—9.

Absent—Messrs. Buckingham, Burlingame, Fuller, Garaghan, Hay, Murphy, Patchen, Roney, Savage, Tennant, Williams—11.

On motion of Mr. Canavan, at 3:10 p. m., the House took a recess until seven o'clock.

EVENING SESSION.

House met at seven o'clock p. m. Speaker Lowery in the chair.

Roll called. Quorum present.

On motion of Mr. Lockwood, at 7:15 p. m., the House resolved itself into Committee of the Whole for the consideration of special orders.

In time committee rose and reported as follows:

Mr. Speaker :

Your Committee of the Whole have had under consideration Senate Bill No. 58: "An Act to encourage the construction of a railroad in the Eastern portion of the State of Nevada," report it back with divers amendments, with the recommendation that it pass as amended. Also, Assembly Bill No. 132: "An Act supplementary to an Act to provide for incorporation of railroad companies," report it back with the recommendation that it be laid temporarily on the table. Also, Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, George S. Dodge, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln," report the same back with amendments, and recommend that it do pass. Also, Assembly Joint Resolution* No. 136, relative to our representatives in Congress to make effort for the annexation for a portion of Utah and Arizona to the State of Nevada, report the same back, and recommend that it be made special order at 12 o'clock, m., February 14th.

Report adopted.

On motion of Mr. Fuller, at 9-30 p. m., the House adjourned.

ROBERT E. LOWERY,

Attest:

Speaker.

G. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-FOURTH DAY.

TUESDAY, February 14th, 1871.

Assembly met pursuant to adjournment.

Roll called. Absent—Messrs. Burlingame, Canavan, Delano, Roney, and Williams.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Petition from ex-Surveyor-General S. H. Marlett for relief, introduced by Speaker Lowery; read and referred to the Committee on Claims.

Mr. Speaker :

Your Committees on Ways and Means, and Mines and Mining, to whom was referred Senate Bill No. 12, entitled "An Act providing for the taxation of the net proceeds of mines," have had the same under con-

sideration, and have been unable to agree as to its passage ; they therefore report the same back without recommendation.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

By Mr. Bowman :

Resolved, That the Controller of State be, and he is hereby, authorized and directed to draw his warrant in favor of each member of the Assembly for the sum of sixty dollars, for expenses incurred for postage, express charges, newspapers and stationery for the present session, as provided in an Act of the Legislature of the State of Nevada, approved March 16th, 1865, entitled "An Act in relation to the compensation of members of the Legislature and State officers," the same to be paid out of the contingent fund of the Assembly.

Adopted.

By Mr. Saville :

WHEREAS, There are a great number of bills in the hands of the various committees of this House; therefore, be it

Resolved, That the chairmen of the various committees of this House are hereby instructed to report at once the titles of all bills in their possession unacted on ; And further be it

Resolved, That the chairman of the Committee on Printing is hereby instructed to report upon the expense incurred up to date for public printing.

Adopted.

Resolved, That the Sergeant-at-Arms be instructed to procure, for the use of the Assembly, a suitable chest, to be used for the safe keeping of bills and records of the Assembly.

Adopted.

Mr. Beck asked leave to withdraw his notice of reconsideration of the vote by which Senate Bill No. 61: "An Act to change the county seat of Washoe County," was passed, and also asked that his name be changed to the affirmative.

Agreed to.

Mr. Speaker :

Your Standing Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant in favor of J. D. Minor, Secretary of State, for wood, and the hauling and cutting of same, for the amount of two hundred and eighty-two dollars and fifty-seven cents.

All of which is respectfully submitted.

T. J. JONES,
Chairman.
A. J. LOCKWOOD,
H. H. BECK,
O. T. BARBER.

The Lincoln County delegation, relative to Senate Substitute Bill for Senate Bill No. 54: "An Act to change the county seat of Lincoln County," made the following report :

Mr. Speaker:

Your committee having had under consideration Senate Substitute Bill for Senate Bill No. 54, entitled "An Act to change the county seat of Lincoln County," respectfully report as follows:

Article four, section twenty, of Nevada Constitution reads: "The Legislature shall not pass local or special laws in any of the following enumerated cases; that is to say:

"Regulating the jurisdiction and duties of Justices of the Peace and Constables."

"For the punishment of crimes and misdemeanors."

"Regulating the practice of Courts of justice."

"Providing for changing the venue in civil and criminal cases."

"Granting divorces."

"Changing the names of persons."

"Vacating roads, town plots, streets, alleys, and public squares."

"Summoning and impanelling grand and petit juries, and providing for their compensation."

"Regulating county and township business," etc.

Section twenty-one of article four of the same instrument reads: "In all cases enumerated in the preceding section, and in all cases where a general law can be made applicable, all laws shall be general and of uniform operation throughout the State."

The only case where a county seat was removed by act of the Legislature, was the removal of the county seat of Nye County, from Ione to Belmont, (Nev. Stat. 1867, page 47,) which is not a precedent, for the following reasons: At the time the bill was passed, there was no general law on the statutes governing the removal of county seats. Governor Blasdel, in signing the bill, called the attention of the Legislature to the fact that his action in this particular instance must not be deemed a conclusive criterion by which to be governed in future cases of like character. "I believe, as a rule, that county seats should be changed by the popular vote of the qualified electors of the county interested." (Senate Journal, third session, page 103.)

In deference to the suggestion of his Excellency, the Legislature passed a general law governing the removal of county seats, approved March 2d, 1867.

This general law required the Board of County Commissioners of any county to order an election to be held within fifty days, whenever three fifths of the legal voters of the county petition them to do so. Under this law, all matters relating to the removal of county seats was at once removed from the halls of the Legislature to the voting precincts of the county interested. The Registration Act of 1866, (page 83,) required the registry books to be kept open only ten days for special elections, such as would seem to be necessitated by the circumstances of the present case. Thus, the removal of a county seat could not under any circumstances be delayed longer than fifty days, and might be completed in as short a space of time as twenty days. The Act gave general satisfaction.

In 1869, the Legislature repealed the registration act of 1866, and enacted the present law, under which forty days are required for registration, and ten for challenging the votes registered, thus allowing fifty days to elapse: but, as the *law for the removal of county seats required the election to be held within fifty days*, a conflict was made between the law to remove county seats and the registry law. The Supreme Court lay all the

blame on the Legislature of 1869, and declare it to be "another instance of too much legislation." (See decision in the Washoe County case.)

The whole objection was as to the time, and not to the Constitutional question.

Your committee would call the attention of the House to the fact that Assembly Bill No. 63, which unanimously passed this House about a week ago, required the register to be kept open but twenty days, and ten days in which to challenge the right of any person registered to vote, thus requiring only thirty days time from the opening to the closing of the registration books, instead of fifty, as required by the law of 1869. If the Assembly Bill No. 63 becomes a law, (it has passed the House, and your committee is advised will pass the Senate,) then the old law of 1867, providing for the removal of county seats will become operative. Your committee would further state, that a bill for the removal of county seats has passed the House some time ago, which overcomes the objection of time, viz: By allowing sixty days in which to complete the election.

If either of the bills referred to pass the Senate, there will be no urgent necessity for special legislation.

Your committee is not prepared to say positively whether the removal of a county seat by direct action of the Legislature comes within the prohibition of the Constitution in article four, sections twenty and twenty-one, forbidding special legislation; but is of the opinion that it is certainly contrary to the spirit of our Constitution.

In this particular case there are so many different views entertained as to where the county seat should be permanently located, that your committee can see no way of giving general satisfaction except by submitting the matter to a vote of the people.

A portion of the people believe that the county seat should remain at Hiko, and some arrangement be made for holding Court at two or three places in the county. They urge that Hiko will accommodate the western and southern parts of the county of Lincoln much better than any other place. And they further urge that the numerous mining camps in the south and southwest are of exceeding great promise, and that their future wants should be regarded. Another portion of the people believe that if the county seat be moved it should not be to Pioche, but to either Panacca City or Bullionville—points only ten miles distant from Pioche. They urge that either Panacca City or Bullionville should be selected, for the following reasons:

First—The cost of public buildings would not be one half of what it would be in Pioche—water and land being in abundance.

Second—The cost of holding Court, keeping prisoners, etc., would be much less.

Third—It would suit the people of the west and southwest on account of being more centrally located.

In this view the Representative, Senator, Judge elect, Recorder, Sheriff, one of the County Commissioners and several of the largest taxpayers in the county, concur.

Your committee is further advised, that if submitted to a vote of the people, the county seat would not be located at Pioche, simply on the ground of its location in a remote corner of the county so near the northern line of said county that there appears to be a question whether it be in the county of Lincoln or Nye. The County Surveyor of Nye, in a letter to one of the delegation from that county, expresses the opinion that Pioche is in Nye County, from which opinion your committee dissent;

this fact is only introduced in the hope that it may guard the Legislature against the possibility of locating the county seat of one county within the boundaries and jurisdiction of another.

As between Hiko and Pioche, that a large number of people desire its location at Pioche cannot be denied; but your committee has not been able to find any one outside of Pioche who desires such location.

The population of Lincoln County, as reported by the Census Marshal, was in September, 1870, three thousand nine hundred and fifty-five (3,955). It is not claimed that Pioche had more than twelve hundred, or at the most, fifteen hundred (1,500) population at that time, consequently your committee find that there was in September, 1870, from twenty-four hundred to twenty-seven hundred population in Lincoln County exclusive of Pioche.

It is the opinion of your committee that these people should be consulted on a matter of such great importance as the location of a county seat. These people, it is true, have heretofore refused to acknowledge the jurisdiction of the State of Nevada, they holding that they were in Utah. The recent survey has set that matter at rest, and we may look to see them become valuable citizens of the State and county.

In view of the foregoing your committee would recommend that the bill do not pass.

Respectfully submitted,
M. B. GARAGHAN.

Lincoln County Delegation.

Assembly Concurrent Resolution No. 163, relative to mail service from Winnemucca to Camp Winfield Scott, introduced by Mr. Trousdale.

Read the first time; rules suspended; read the second time by title, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—40.

NAYS—0.

Absent—Messrs. Burlingame, Fuller, Hogan, Lockwood, Savage, Williams—6.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, * }
CARSON CITY, February 13th, 1871. }

To the Honorable the Assembly;

I have the honor herewith to transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 134: Relative to appointment of a joint committee to select subjects for two paintings for the two Houses of the Legislature, which this day passed the Senate; Yeas, 11; nays, 4. I am also instructed to inform your honorable body that Messrs. Brown, Boring and Moore were this day appointed, on the part of the Senate, a Committee of Conference to consider amendments to substitute for Senate Bill No. 2; also, Messrs. Hall, Hazlett, and

Bonnifield as a Committee of Conference to consider amendments to Assembly Bill No. 9.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 13th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 112: "An Act to provide for the protection of timbered lands," the same having this day passed the Senate by the following vote : Yeas, 18; nays, 3. Also, Senate Bill No. 118 : "An Act to amend an Act entitled 'An Act to provide for the care of the insane of the State of Nevada, and to create a fund for that purpose,'" which this day passed the Senate by the following vote : Yeas, 23; nays, 0. Also, to return Assembly Bill No. 84: an Act entitled "An Act for the relief of James Leffingwell, Sheriff of Lander County in the years 1865 and 1866," which this day passed the Senate by the following vote : Yeas, 21; nays, 1.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 118: "An Act to provide for the care of the insane of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

Senate Bill No. 112: "An Act to provide for the protection of timbered lands."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Lands.

Mr. Willard moved that Senate Bills Nos. 66 and 67, be taken from the table and made the special order for to-morrow, at 12 o'clock.

Carried.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 6, entitled "An Act to amend an Act entitled 'An Act concerning compensation of jurors,'" and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully,
H. A. WILLARD,
Chairman.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Concurrent Resolution, relating to mail service from Wadsworth to Belmont, Nevada, and find the same to be correctly enrolled.

Respectfully,
H. A. WILLARD,
Chairman.

Assembly Bill No. 164: "An Act to amend an Act entitled 'An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county.'"

Read the first time; rules suspended; read the second time by title, and referred to the Lyon County delegation.

Assembly Bill No. 161: "An Act to grant Hill Beachy and others the right of way to build and maintain a narrow gauge railroad," introduced by Mr. Saville.

Read the first time; rules suspended; read the second time by title, and referred to Washoe and Storey County delegations.

Senate Bill No. 58: "An Act to encourage the construction of a railroad in the eastern portion of the State of Nevada."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Brown, Buckingham, Canavan, Dangberg, Delano, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lockwood, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—31.

NAYS—Messrs. Beck, Child, Dovey, Garaghan, Lawson, Likens, Manning, McClelan, McLeod, Simpson—10.

Absent—Messrs. Burlingame, Cowen, Saville, Willard, Williams—5.

Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, Geo. S. Dodge, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—42.

NAYS—Mr. Likens—1.

Absent—Messrs. Burlingame, Cowen, Williams—3.

At 12:20, on motion, the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment. Speaker *pro tem*. Tennant in the chair.

Roll called. Quorum present.

Pursuant to previous notice, Mr. Speaker moved to reconsider the vote by which Assembly Bill No. 154, "An Act for the removal of the county seat of Lincoln County," was passed.

Vote on the reconsideration taken with the following result:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Ellyson, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Owen, Organ, Patchen, Piper, Rogers, Savage, Saville, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—25.

NAYS—Messrs. Beck, Dangberg, Delano, Dovey, Garaghan, Gray, Greenhalgh, Harris, Hogan, Manning, McClelan, McLeod, Murphy, Potter, Roney, Simpson, Willard—17.

Absent—Messrs. Barber, Cowen, Fuller, Williams—4.

Mr. Speaker moved that a special committee of one be appointed to insert Senate Bill No. 54: "An Act for the removal of the county seat of Lincoln County," back as a substitute for Assembly Bill No. 154.

Lost by the following vote:

YEAS—Messrs. Barber, Buckingham, Burlingame, Brown, Canavan, Hatch, Hay, Lawson, Lockwood, Owen, Organ, Patchen, Piper, Savage, Saville, Smith, Wagner, Mr. Speaker—18.

NAYS—Messrs. Beck, Bowman, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hogan, Jones, Likens, Manning, McClelan, McLeod, Murphy, Potter, Rogers, Roney, Simpson, Tennant, Trousdale, Willard—27.

Absent—Mr. Williams—1.

Mr. Smith moved the previous question.

The question being, shall Assembly Bill No. 154: "An Act to provide for the removal of the county seat of Lincoln County," pass? the vote was taken with the following result:

YEAS—Messrs. Barber, Beck, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Potter, Rogers, Roney, Simpson, Tennant, Trousdale, Willard—28.

NAYS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Hatch, Hay, Murphy, Owen, Organ, Patchen, Piper, Savage, Saville, Smith, Wagner, Mr. Speaker—17.

Absent—Mr. Williams—1.

Mr. Speaker :

Your select committee, consisting of the Elko County delegation, to which was referred Senate Bill No. 89, entitled "An Act to consolidate and fund the indebtedness of Elko County," have had the same under consideration, beg leave to report the same back and recommend its passage.

Respectfully, etc.,

J. A. SAVAGE,
J. W. ELLYSON.

On motion of Mr. Beck the House, at 3:15 p. m., resolved itself into Committee of the Whole for the purpose of considering general file.

Mr. Beck in the chair.

In time committee rose and reported as follows :

Mr. Speaker :

Your Committee of the Whole have had under consideration Senate Bill No. 103: "An Act requiring State officers to prepare and transmit to the Legislature duplicates of all reports intended for publication," report the same back, with the recommendation that it do pass. Also, Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada," report the same back with amendments, and recommend its passage. Also, substitute for Assembly Bill No. 65, "An Act

in relation to public highways;" substitute adopted; report the same back with the recommendation that substitute pass. Also, Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County," report the same back, and recommend that it pass." Also, Senate Bill No. 44: "An Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof,'" report it back, with instructions to print. Also, Assembly Bill No. 117: "An Act supplementary to an Act to repeal an Act of the Legislature of the State of Nevada, entitled 'An Act to incorporate the town of Hamilton,'" report the same back, with the recommendation that it do pass. Also, Assembly Bill No. 105: "An Act securing liens to mechanics and others," report the same back, without recommendation. Also, Senate Bill No. 47: "An Act to provide for the payment of certain indebtedness of Humboldt County," report it back, with the recommendation that it pass. Also, Assembly Bill No. 43: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" approved March 9th, 1865, report the same back, with amendments adopted, and recommend that it do pass. Also, Assembly Bill No. 125: "An Act entitled 'An Act to provide for constructing and maintaining toll roads and bridges,'" approved March 8th, 1869, report the same back with amendments, and ask leave to sit again.

Adopted.

Mr. Tennant in the chair.

Mr. Speaker *pro tem.* appointed as committee to confer with Senate Committee, in relation to paintings for the State Capitol, Messrs. Delano, Murphy, and Saville.

Mr. Beck moved that the following Assembly Bills be ordered engrossed: Nos. 65, 102, 117, and 43.

Carried.

Assembly Memorial No. 169: Relative to State Capitol building.

Presented by Mr. Burlingame, and referred to Committee on State Institutions, with instructions to print.

At 4:40 p. m., the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-FIFTH DAY.

WEDNESDAY, February 15th, 1871.

Assembly met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. Absent—Messrs. Buckingham, Brown, Potter, Trousdale and Williams.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Mr. Speaker :

Your Standing Committee on Public Lands, to whom was referred Assembly Bill No. 129, entitled "An Act to provide for the selection and

sale of lands granted by the United States to the State of Nevada," respectfully report that they have had the same under consideration, and herewith return the same, with amendments designated by red brackets in the body of the bill, and recommend that the bill pass as amended.

A. J. HATCH,
Chairman Committee.

Mr. Speaker :

Your Standing Committee on Corporations, to which was referred Assembly Bill No. 150, entitled "An Act to provide for the incorporation of towns in the State of Nevada," with instructions to print, having had the same under consideration, have instructed their Chairman to order it printed, report it back to the House and recommend its passage, with the amendments indicated in pencil on the bill.

R. T. SMITH,
Chairman.

Mr. Garaghan moved that Assembly Bill No. 69, entitled "An Act to amend an Act to provide revenue for the support of the government of the State of Nevada," approved 1865, be taken from table and placed on general file.

Agreed to.

Mr. Beck moved to take from the table Bill No. 28, entitled "An Act to amend an Act concerning crimes and punishments," approved November 21st, 1861, and place the same on the general file.

Agreed to.

Mr. Savage asked leave of absence for the Committee on Ways and Means for one hour. Leave granted.

Mr. Speaker :

Your Standing Committee on Contingent Expenses beg leave to report by resolution:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant in favor of the persons hereafter specified:

John Marble, as per voucher.....	\$15 00
J. R. Bigler, as per voucher	2 50
	<hr/>
	\$17 50

All of which is respectfully submitted.

T. J. JONES,
Chairman.

Adopted.

Mr. Tennant gave notice that he would, on to-morrow, move to amend Rule 37—of standing rules of the Assembly.

Mr. Fuller asked leave to introduce a bill, without previous notice, "An Act to amend an Act in relation to the salary of Governor and Lieutenant-Governor."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Smith asked leave to introduce, without previous notice, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of the State of Nevada, and repeal all other Acts in relation thereto."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Jones introduced an Act granting right of way and other privileges to the Union Pacific Tunnel Company in the construction of a draining and exploring tunnel in Lander Hill, Lander County, Nevada.

Read the first time; rules suspended; read the second time by title, and referred to special committee composed of Committee on Internal Improvements and Committee on Mines and Mining Interests.

Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada."

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Dangberg, Delano, Ellyson, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, McClelan, McLeod, Murphy, Owen, Piper, Rogers, Roney, Saville, Simpson, Trousdale, Wagner, Willard, Mr. Speaker—30.

NAYS—Messrs. Child, Dovey, Harris—3.

Absent—Messrs. Buckingham, Cowen, Fuller, Garaghan, Lockwood, Manning, Organ, Patchen, Potter, Savage, Smith, Tennant, Williams—13.

Mr. Bowman gave notice that he would, on to-morrow, move to reconsider the vote by which Senate Bill No. 42 passed.

Senate Bill No. 47: "An Act to provide for the payment of certain indebtedness of Humboldt County."

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Rogers, Roney, Saville, Simpson, Trousdale, Wagner, Willard, Mr. Speaker—34.

NAYS—0.

Absent—Messrs. Buckingham, Cowen, Dovey, Fuller, Garaghan, Manning, Potter, Savage, Smith, Tennant, Williams, Organ—12.

Assembly Bill No. 105: "An Act securing liens to mechanics and others."

Read third time; and by unanimous consent of the House, withdrawn.

Senate Bill No. 103: "An Act requiring State officers to prepare and transmit to the Legislature, duplicates of all reports intended for publication."

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Child, Dangberg, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Owen, Patchen, Piper, Roney, Saville, Simpson, Trousdale, Wagner, Willard, Mr. Speaker—30.

NAYS—0.

Absent—Messrs. Buckingham, Canavan, Cowen, Delano, Dovey, Fuller, Garaghan, Manning, Murphy, Organ, Potter, Rogers, Savage, Smith, Tennant, Williams—16.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 15th, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved, and deposited with the Secretary of State,

Assembly Bill No. 6: "An Act entitled 'An Act to amend an Act entitled An Act concerning compensation of jurors.'" Approved March 5th, 1869.

L. R. BRADLEY,
Governor.

On motion of Mr. Piper, the House resolved itself into Committee of the Whole for the purpose of considering the general file.

Mr. Bowman in the chair.

In time the Committee rose and reported as follows :

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 140: "An Act to amend section thirteen of an Act relating to elections, and the manner of conducting the same," report the same back, and recommend that it be temporarily laid on the table. Also Senate Bill No. 110: An Act supplementary to an Act entitled "An Act to provide for the sale of public lands," report the same back, with the recommendation that it do pass. Also, Assembly Bill No. 76: "An Act relating to accounts against the State," report the same back, with the recommendation that it do pass. Also, Senate Concurrent Resolution No. 114: "Relative to turning over to the Superintendent of Public Instruction the desks formerly used by the State," report the same back, with the recommendation that it do not pass. Also, Senate Bill No. 60, and Substitute reported by Judiciary Committee therefor: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada." Ordered by the Chair that the original bill be restored to its place, on third reading, and the committee recommend that the substitute be returned to the Judiciary Committee.

Report adopted.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 53: "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, have had the same under consideration, beg leave to report the same back, with a recommendation that it do not pass.

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 153: An Act entitled "An Act taxing the gross proceeds of mines," have had the same under consideration, and beg leave to report back, with a recommendation that it do not pass.

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 149 "An Act providing for the payment of interest on claims against counties," have had the same under consideration, beg leave to report back, with a recommendation that it do not pass.

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred

Substitute Senate Bill No. 29: "An Act to provide for the payment of the salaries of certain county officers," have had the same under consideration, beg leave to report the same back, with a recommendation that it do pass.

J. A. SAVAGE,
Chairman.

At one o'clock P. M. on motion, the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment. Speaker Lowery in the chair. Roll called. Quorum present.

Mr. Smith moved a call of the House.

Roll called. Absent—Messrs. Canavan, Dangberg, Delano, Fuller, Hogan and Roney.

Mr. Greenhalgh moved that further proceedings under call of the House be dispensed with.

Lost.

Messrs. Canavan, Dangberg, Delano and Hogan, appearing at the Bar of the House, were each fined one dollar and admitted to their seats.

Mr. Fuller, appearing at the Bar of the House, was fined one dollar and admitted to his seat.

Mr. Dovey moved that further proceedings under the call of the House be dispensed with.

Carried.

Mr. Lockwood moved that the resolution relative to the Constitutional Amendment: to strike therefrom the word "male," be taken from the table.

Carried.

Resolution read the third time, and lost by the following vote:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Fuller, Gray, Harris, Hatch, Hay, Lockwood, Organ, Patchen, Rogers, Saville, Simpson, Tennant—19.

NAYS—Messrs. Barber, Beck, Child, Cowen, Dangberg, Ellyson, Garaghan, Greenhalgh, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Savage, Smith, Trousdale, Wagner, Willard, Mr. Speaker—25.

Absent—Messrs. Roney, Williams—2.

Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Delano, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Lawson, Likens, McClelan, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Savage, Saville, Smith, Tennant, Wagner—31.

NAYS—Messrs. Cowen, Dangberg, Dovey, Ellyson, Greenhalgh, Jones, Lockwood, Manning, McLeod, Simpson, Trousdale, Willard, Mr. Speaker—13.

Absent—Messrs. Roney, Williams—2.

Mr. Savage gave notice that he would, on to-morrow, move to reconsider the vote by which Senate Bill No. 60 passed.

Assembly Bill No. 76: "An Act relating to accounts against the State."
Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Murphy, Owen, Organ, Potter, Rogers, Tennant, Trousdale, Wagner, Willard—31.

NAYS—Messrs. Ellyson, Garaghan, Lockwood, Manning, McClelan, McLeod, Piper, Savage, Simpson, Mr. Speaker—10.

Absent—Messrs. Patchen, Roney, Saville, Smith, Williams—5.

Senate Bill No. 110, an Act supplementary to an Act entitled "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Potter, Rogers, Savage, Simpson, Tennant, Trousdale, Willard, Mr. Speaker—37.

NAYS—Messrs. Ellyson, Greenhalgh, Piper—3.

Absent—Messrs. Lockwood, Roney, Saville, Smith, Wagner, Williams—6.

Senate Concurrent Resolution, relative to turning over to the Superintendent of Public Instruction, the desks formerly used by the Legislature.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Dovey, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, McClelan, McLeod, Murphy, Organ, Piper, Potter, Savage, Tennant, Wagner, Willard, Mr. Speaker—29.

NAYS—Messrs. Bowman, Cowen, Ellyson, Likens, Manning, Patchen, Rogers, Simpson, Trousdale—9.

Absent—Messrs. Fuller, Garaghan, Lockwood, Owen, Roney, Saville, Smith, Williams—8.

Mr. Hay gave notice for a reconsideration of the vote.

By Mr. Smith:

Resolved, by the House, That whenever any bill shall have passed both Houses, the same shall be presented to the chairman of the Committee on Enrollment, who shall immediately deliver such bill to the Secretary of State for enrollment.

Adopted.

The following messages were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 15th, 1871. }

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 58: "An Act to encourage the construction of a railroad in the Eastern portion of

the State of Nevada," by the following vote : Yeas, 15; nays, 8. Also, to transmit for the consideration of your honorable body, Senate Bill No. 137: "An Act supplementary to and amendatory of an Act entitled 'An Act to provide for the payment of the outstanding indebtedness of Virginia City, Storey County,' approved January 27th, 1865," which passed the Senate this day by the following vote : Yeas, 20; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 14th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Joint Memorial and Resolution No. 115: "Relative to the annexation of a portion of Idaho to the State of Nevada," which this day passed the Senate by the following vote: Yeas, 22; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 15th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body, Assembly Bill No. 63: "An Act entitled 'An Act to provide for the registration of the names of electors, and to prevent frauds at elections,'" approved March 5th, 1869, which passed the Senate on the 14th instant by the following vote : Yeas, 22; nays, 0. Also, to transmit for the consideration of your honorable body, Senate Bill No. 104: "An Act to provide for the removal of county seats," which passed the Senate on the 14th instant by the following vote : Yeas, 20; nays, 0. Also, Senate Bill No. 141: "An Act to provide for the care of the insane of the State of Nevada, and to create a fund for that purpose," the same having passed the Senate on the 15th instant by the following vote : Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 137: "An Act supplementary to and amendatory of an Act entitled 'An Act to provide for the payment of the outstanding indebtedness of Virginia City, Storey County.'"

Read the first time ; rules suspended ; read the second time by title, and referred to the Virginia portion of the Storey delegation.

Senate Bill No. 104: "An Act to provide for the removal of county seats."

Read the first time ; rules suspended ; read the second time by title, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 141: "An Act to provide for the care of the insane of the State of Nevada, and to create a fund for that purpose."

Read the first time ; rules suspended ; read the second time by title, and referred to Committee on State Institutions.

Senate Joint Resolution and Memorial No. 115, relative to the annexation of a portion of Idaho to the State of Nevada.

Read the first time: rules suspended; read the second time by title, and referred to Committee on Federal Relations.

Mr. Owen moved a call of the House.

Roll called. Absent—Messrs. Gray, Harris and Smith.

Mr. Harris appearing at the bar of the House, was admitted to his seat.

Mr. Smith appeared at the bar of the House, was fined one dollar, and admitted to his seat.

Mr. Rogers moved that further proceedings under call of the House be dispensed with.

Lost.

Motion that further proceeding under call of the House be dispensed with, agreed to.

Mr. Lowery gave notice that he would, on to-morrow, move to reconsider the vote by which the Woman Suffrage Resolution was rejected.

On motion of Mr. Brown, at 3:40 p. m. the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-SIXTH DAY.

THURSDAY, February 16th, 1871.

Assembly met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. All present.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker:

Pursuant to the resolution of the Assembly, your Committee on Corporations report that Assembly Bill No. 71: "An Act relating to toll roads;" also, Assembly Bill No. 128, relating to foreign insurance companies, are in its hands, and held at the request of the authors of the bills.

Respectfully,
R. T. SMITH,
Chairman.

Mr. Smith asked leave of absence for half an hour. Leave granted.

Mr. Speaker:

Your Standing Committee on Internal Improvements to whom was referred Assembly Bill No. 130: "An Act to amend an Act entitled 'An Act to regulate rafting and running timber and wood on the rivers of the State of Nevada,'" beg leave to report the same back, with the recommendation that it do pass, with the following amendments: In line fifty-eight strike out "railway" and insert in lieu thereof "rollway." Also, in line sixty-one, after the word "timber" insert "lumber." Also, in line sixty-two, strike out the word "railway" and insert "rollway." Also,

in line ninety, strike out "should" and insert "shall." Also, in line ninety-two, make the same correction. Also, in line one hundred and twenty-three, after the word "be" insert the words "rated and." Also, in line one hundred and forty-eight, after the word "parties" insert the word "become." Also, in line one hundred and ninety-four, after the word "the" insert the words "persons and."

D. MURPHY,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, in accordance with the request of this House, beg leave to report as follows, viz: said committee have now on hand not considered Assembly Bill No. 1, entitled an Act to amend an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties." Also, Assembly Bill No. 142, entitled "An Act to provide for the taxation of the proceeds of mines." Also. Assembly Bill No. 161, entitled "An Act to amend the Revenue Act of March 9th, 1865."

All of which is respectfully submitted.

J. A. SAVAGE,
Chairman.

Mr. Speaker:

Your Standing Committee on Contingent Expenses beg leave to report by resolution:

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant in favor of Peter Cavanaugh for one hundred and six dollars and fifty cents—as per voucher herewith submitted. All of which is respectfully submitted.

T. J. JONES, Chairman.
A. J. LOCKWOOD.
O. T. BARBER.

Adopted.

Mr. Speaker:

Your special committee, consisting of the Washoe and Storey County delegations, to take into consideration Assembly Bill No. 167, entitled "An Act to grant Hill Beachy, and others, the right of way to build and maintain a narrow gauge railroad from Reno to Virginia," beg leave to report favorably and recommend the passage of the same.

A. C. HAY,	A. J. HATCH,
C. S. SAVILLE,	H. H. BECK,
O. T. BARBER,	H. H. HOGAN,
SAM'L OWEN,	A. LAWSON,
GEO. W. ROGERS,	E. L. BUCKINGHAM,
A. K. POTTER,	ROBT. E. LOWERY,
HENRY PIPER,	T. H. WILLIAMS,
	R. T. SMITH.

Mr. Speaker:

Your committee, composed of the Esmeralda delegation, to whom was referred Assembly Bill No. 131, an Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10th, 1865, have had the same under consideration and beg

leave to report the same back, recommending its passage, without amendment.

Respectfully, etc.,

D. F. MANNING.
M. R. DELANO.
ANGUS McLEOD.
D. C. SIMPSON.

Mr. Speaker :

Your Standing Committee on Public Lands, to whom was referred Senate Bill No. 112, entitled "An Act to provide for the protection of timber lands," respectfully report that they have had the same under consideration and herewith return the same, and recommend its passage.

A. J. HATCH,
Chairman.

Mr. Savage moved that the committee appointed to investigate the rights of the State to the prison grounds, be granted further time in which to report.

Agreed to.

By Mr. Rogers:

Resolved, That the Engrossing Committee be, and is hereby, instructed to employ a copying clerk at fifteen cents per folio.

Adopted.

By Mr. Tennant:

Resolved, That the Secretary of State be requested and required to furnish forthwith to the Controller of State a certified copy of an Act passed at this session of the Legislature, entitled "An Act to create Legislative Funds," which certified copy shall be evidence of the passage of said Act and authority for the Controller of State to issue warrants in compliance with its provisions.

Adopted.

By Mr. Lockwood:

Resolved, by the Assembly, the Senate concurring, that the Senate and Assembly will meet in joint convention, in this chamber, at the hour of twelve o'clock m., on the 21st day of February, 1871, for the purpose of electing a Board of Regents as provided for by an Act entitled "An Act to provide for the election of the Board of Regents, to fix their term of office and prescribe their duties," approved March 5th, 1869.

Mr. Hay moved to reconsider the vote by which Senate Concurrent Resolution No. 114, relative to turning over to the Superintendent of Public Instruction, the desks formerly used by the Legislature.

Reconsidered by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Rogers, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Willard, Mr. Speaker—37.

NAYS—Messrs. Buckingham, Dovey, Piper, Potter—4.

Absent—Messrs. Canavan, Fuller, Garaghan, Gray, Saville—5.

On the question: Shall the resolution pass? vote taken, and lost by the following:

YEAS—Messrs. Dangberg, Dovey, Organ, Piper, Potter, Wagner—6.

NAYS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Child, Cowen, Delano, Ellyson, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Rogers, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Willard, Williams, Mr. Speaker—35.

Absent—Messrs. Canavan, Fuller, Garaghan, Gray, Saville—5.

Mr. Bowman, pursuant to previous notice, moved to reconsider the vote by which Senate Bill No. 42, "An Act to prevent the destruction of fish in the waters of Nevada."

Agreed to with amendments by a vote of 25 yeas, 20 nays.

The question being: Shall the bill pass? vote taken, with the following result:

YEAS—Messrs. Barber, Bowman, Brown, Canavan, Child, Dangberg, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Potter, Savage, Smith, Trousdale, Wagner, Mr. Speaker—23.

NAYS—Messrs. Beck, Buckingham, Burlingame, Likens, Roney, Saville, Simpson, Tennant, Willard, Williams—10.

Absent—Messrs. Cowen, Delano, Fuller, Garaghan, Patchen, Piper, Rogers—7.

Pursuant to previous notice, Mr. Savage moved to reconsider the vote by which Senate Bill No. 60: "An Act to provide for the purchase of certain copies of the laws of the Territory of Nevada" passed this House.

Lost by the following vote:

YEAS—Messrs. Child, Cowen, Dangberg, Dovey, Ellyson, Garaghan, Greenhalgh, Harris, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Savage, Simpson, Trousdale, Willard, Williams, Mr. Speaker—20.

NAYS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Fuller, Gray, Hatch, Hay, Hogan, Lawson, Likens, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Smith, Tennant, Wagner—26.

Mr. Hogan introduced Assembly Concurrent Resolution No. 179, relative to instructing representatives in Congress to use their influence to induce the Government to list over the lands belonging to the Central Pacific Railroad in this State.

Passed by unanimous vote.

At 12:35, on motion of Mr. Saville, the House took a recess for one hour.

AFTERNOON SESSION.

House convened at 1:35.

Speaker *pro tem.* Tennant in the chair.

Roll called. Quorum present.

Mr. Smith moved a call of the House.

Roll called.

Messrs. Manning, Cowen, Owen and Wagner appearing at the bar of

the House, could not give reasonable excuses for being absent, and were fined \$1 each, and admitted to their seats.

Mr. Beck moved that further proceedings under the call be dispensed with.

Carried.

Mr. Savage asked leave of absence to attend a meeting of the Board of Examiners on the State Treasurer's defalcation. Leave granted.

Mr. Gray moved that the House go into Committee of the Whole to consider special orders.

Adopted.

Mr. Dovey in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution located at Virginia City, Storey County, Nevada," report the same back, with amendments, and ask leave to sit again.

Report adopted.

Mr. Speaker moved to reconsider the vote by which Senate Concurrent Resolution, relative to the amendment of the Constitution, by striking out the word "male," was on yesterday lost.

Motion carried.

The vote was then taken on the passage of the resolution, and the following was the result:

YEAS—Messrs. Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Fuller, Gray, Harris, Hatch, Hay, Lockwood, Organ, Patchen, Rogers, Roney, Saville, Simpson, Smith, Tennant, Mr. Speaker—21.

NAYS—Messrs. Barber, Beck, Child, Cowen, Dangberg, Ellyson, Garghan, Greenhalgh, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Potter, Savage, Wagner, Willard, Williams—22.

Absent—Messrs. Buckingham, Piper, Trousdale—3.

Mr. Bowman moved that the announcement of the vote be postponed until to-morrow.

Motion lost.

Mr. Willard, Chairman of the Committee on Enrollment, asked leave to make the following report out of order. Leave granted.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 84: "An Act for the relief of James Leffingwell, Sheriff of Lander County," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,
Chairman.

Mr. Bowman asked leave to introduce a bill, without previous notice, an Act to amend an Act entitled "An Act relative to attorneys and counselors at law."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

At five o'clock P. M., on motion of Mr. Smith, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-SEVENTH DAY.

FRIDAY, February 17th, 1871.

House met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. All present.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Speaker :

The Standing Committee on Judiciary herewith return Senate Bill No. 108, an Act to amend an Act entitled "An Act defining the duties of State Controller," and recommend that it do pass. Also, Senate Bill No. 109, an Act to amend an Act entitled "An Act defining the duties of State Treasurer," and recommend that it do pass.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker:

The Standing Committee on Judiciary herewith return Assembly Bill No. 97: An Act to amend section six of an Act entitled "An Act to regulate fees and compensation for official services in the State of Nevada," and recommend that it do not pass.

In this connection, the committee beg to state that they have nearly completed their amendments to a general fee bill, which embraces the subject contained in the above entitled bill, and will soon be able to report the same.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker:

Your committee to whom was referred Senate Bill No. 137, entitled "An Act supplementary to and amendatory of an Act entitled 'An Act to provide for the payment of the outstanding indebtedness of Virginia City, Storey County,'" approved January 27, 1865, report that they have had the same under consideration, beg leave to return it to the House, and recommend its passage.

Respectfully, etc.,

ROBERT E. LOWERY,
HENRY PIPER,
SAMUEL OWEN,
R. T. SMITH.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 16th, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State Assembly Bill No. 84: An Act entitled "An Act for the relief of James Leffingwell, Sheriff of Lander county in the years 1865 and 1866."

L. R. BRADLEY,
Governor.

Mr. Speaker:

The Standing Committee on Judiciary herewith return Senate Bill No. 68: "An Act to admit an instrument purporting to be a will of Henry Sticknoth to probate," and recommend that it do not pass.

Also, Assembly Bill No. 180: An Act to amend an Act entitled "An Act relative to attorneys and counselors at law," and recommend that it do not pass.

Also, Senate Joint Resolution No. 113, and recommend that it be amended by striking out the word "eighteen" in line four of the resolution, and inserting in lieu thereof the word "sixteen," and by striking out "thirty-six" in the same line, and inserting in lieu thereof "thirty-two."

Respectfully, etc.

THOS. H. WILLIAMS,
Chairman.

The following communication was received from the Honorable the Secretary of State:

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Controller of State and State Treasurer had each received a certified copy of an Act entitled "An Act to create Legislative Funds," before the resolution of your honorable body requiring such copies to be furnished said officers was passed.

Very respectfully,

J. D. MINOR,
Secretary of State.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 16th, 1871. }

To the Honorable the Assembly:

I have the honor to inform your honorable body, that the President of the Senate appointed, on the fifteenth day of February, Senators Hall and Hazlett on the part of the Senate, in conformity with Senate Concurrent Resolution No. 134, relative to appointment of a joint committee to select subjects for two paintings for the two Houses.

Respectfully,

F. BUTLER,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 16th, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Joint Resolution No. 151: "Relative to the election of a Board of Regents," which this day passed the Senate, by the following vote: Yeas, 20; nays, 0. Also, to inform your honorable body that the Senate has this day concurred in the Assembly amendment to Senate Concurrent Resolution No. 85: "Relative to the employment of Chinese in the United States Branch Mint, Carson City, Nevada," by the following vote: Yeas, 13; nays, 9.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 15th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 163: "Relative to mail service from Winnemucca to Camp Winfield Scott," which this day passed the Senate, by the following vote: Yeas, 21; nays, 0. Also, to return Assembly Bill No. 85: "An Act to repeal Chapter LXXXVIII. of the laws passed at the session of the Legislature in the year eighteen hundred and sixty-nine," which was this day rejected by the Senate on its final passage, by the following vote; Yeas, 7; nays, 15. Also, to return Assembly Bill No. 98: "An Act to promote the introduction and use of steam power for transportation purposes on common roads in the State of Nevada," with the following amendments: In line eighteen, section two, strike out the word "correct," before the word "plat;" insert after the word "contained," in line twenty-six, section two, the following: "which record and notice, shall confer upon the company so filing, the exclusive right to the route designated and shown in the plat, unless said company fails to commence the construction of said road, prior to the expiration of the limit of ninety days, as hereinafter provided;" in line thirty-three, section two, strike out the words "seventy-five" and insert the words "one hundred and fifty;" after the words "freight stations," in line thirty-six, section two, insert the words "and to cross any other road or highway;" to amend section three by striking out the proviso, commencing in line eight, to the end of the section, and inserting, as per amendment attached to the bill, which please see; said bill having this day passed the Senate, by the following vote: Yeas, 18; nays, 4.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

Assembly Bill No. 98: "An Act to promote the introduction and use of steam power for transportation purposes on common roads in the State of Nevada," returned from the Senate, with amendments, and concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Lawson, Likens, Lockwood, Man-

ning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Simpson, Smith, Tennant, Wagner, Williams, Mr. Speaker—35.

NAYS—0.

Absent—Messrs. Canavan, Fuller, Garaghan, Jones, Organ, Patchen, Roney, Savage, Saville, Trousdale, Willard—11.

Mr. Williams moved that Assembly Bill No. 118: "An Act for the government of the towns and cities of this State," be taken from the table and placed on general file.

Agreed to.

On motion of Mr. Williams, the House resolved itself into Committee of the Whole for the consideration of general file. Mr. Beck in the chair.

In time the committee rose and reported as follows :

Mr. Speaker:

The Committee of the Whole have had under consideration Senate Bill No. 75: "An Act to provide for the fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution located at Virginia, Storey County, Nevada," report the same back, with divers amendments, and recommend its passage as amended. Also, Senate Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect or default," report the same back, with amendments, and recommend its passage as amended.

Report received and adopted.

Mr. Williams moved a call of the House.

Roll called. Absent—Messrs. Buckingham, Burlingame, Lockwood and Saville.

Messrs. Burlingame and Saville, appearing at the Bar of the House, were, on motion, admitted to their seats.

Mr. Buckingham appeared at the Bar of the House, was fined one dollar and admitted to his seat.

Mr. Beck moved that further proceedings under call of the House be dispensed with.

Agreed to.

Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum."

Read the third time, and passed by the following vote :

YEAS—Messrs. Buckingham, Burlingame, Canavan, Delano, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hay, Jones, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Savage, Simpson, Smith, Willard, Williams, Mr. Speaker—26.

NAYS—Messrs. Barber, Beck, Bowman, Brown, Child, Cowen, Dangberg, Dovey, Harris, Hatch, Hogan, Lawson, Likens, Potter, Roney, Saville, Tennant, Wagner—18.

Absent—Messrs. Lockwood and Trousdale—2.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 63, entitled "An Act to amend an Act to provide for the registration of the names of electors, and to prevent fraud at elections," and find the same to be correctly

enrolled, and have this day presented the same to the Governor for his approval.

Respectfully,
H. A. WILLARD,
Chairman.

To the Honorable the Assembly of the State of Nevada :

Your committee, to whom was referred Assembly Bill No. 125, entitled "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City," have had the same under consideration, and beg leave to report the same back without recommendation.

JOHN M. GRAY,
Chairman.

Mr. Beck in the chair.

Mr. Owen asked leave of absence for Speaker Lowery for the remainder of the day. Leave granted.

Mr. Savage moved that Assembly Bill No. 125: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson, be referred to a special committee of three.

Agreed to.

The chair appointed as such committee, Messrs. Lockwood, Savage, and Child.

On motion of Mr. Burlingame the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker *pro tem*. Tennant in the chair.

Roll called—Quorum present.

Mr. Hatch moved that Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," be taken up in Committee of the Whole.

Agreed to.

Mr. Smith asked leave of absence for the day. Granted.

Mr. Williams asked leave of absence for the balance of the day. Granted.

The House in Committee of the Whole, Mr. Hogan in the chair, considered the following bills :

In time, the Committee of the Whole rose and reported as follows :

Mr. Speaker:

Your Committee of the Whole have had under consideration Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," report the same back with amendments, and recommend its passage as amended. Also, Senate Bill No. 65: "An Act concerning exemption from jury duty," report the same back, and its passage recommended. Also, Senate Bill No. 92: "An Act in relation to damages in certain cases," report the same back with amendments, and recommend that it pass.

Report adopted.

Mr. Speaker :

The Standing Committee on Judiciary have prepared various amendments to the Civil Practice Act, and embodied the same in a general bill, which they herewith present, and recommend that the same be passed.

They have also examined the following bills amendatory of the Civil Practice Act, to wit: Assembly Bill No. 4; Assembly Bill No. 171; and herewith return the same, and recommend that they do not pass. They also return Assembly Bill No. 79, Assembly Bill No. 27, and Assembly Bill No. 51, relative to amendments of the Civil Practice Act.

Having embodied in the general bill above mentioned all of the three last named bills, which the committee approve, they recommend that said bills do not pass.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County;" also Assembly Bill No. 43: An Act to amend an Act entitled: "An Act to provide revenue for the support of the Government of the State of Nevada;" approved March 9, 1865, and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Substitute for Assembly Bill No. 65: "An Act in relation to Public Highways;" and find the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Manning introduced Assembly Bill No. 183, entitled: An Act supplementary to an Act entitled: "An Act to provide revenue for the support of the Government of the State of Nevada," approved March 9, 1865, and other Acts amendatory of, and supplementary thereto.

Mr. Bowman moved that when the House adjourn, it adjourn until Monday. Lost.

Mr. Jones moved to take up Assembly Bill No. 65.

Mr. Owen moved to adjourn. Lost.

Mr. Savage moved to insert in section one, after "Physician," the word "Editors." Lost.

Assembly Bill No. 65, read the third time, and lost by the following vote:

YEAS—Messrs. Brown, Canavan, Child, Dangberg, Delano, Dovey, Hay, Jones, Likens, Manning, Murphy, Piper, Rogers, Roney, Simpson, Tennant, Williams—17.

NAYS—Messrs. Beck, Bowman, Cowen, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, McClellan, McLeod, Owen, Organ, Patchen, Potter, Savage, Saville, Wagner—18.

Absent—Messrs. Barber, Buckingham, Burlingame, Ellyson, Hogan, Lawson, Lockwood, Smith, Trousdale, Willard, Mr. Speaker—11.

Mr. Bowman gave notice that on to-morrow he would move a reconsideration of the vote by which the bill was lost.

Mr. Dovey moved to take a recess until 7 o'clock. Lost.

Mr. Bowman moved to adjourn. Lost.

Mr. Cowan moved a call of the House. Lost.

At 4:20 P. M., on motion of Mr. Williams, the House adjourned.

THOS. J. TENNANT,
Speaker, *pro tem.*

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FORTY-EIGHTH DAY.

SATURDAY, February 18th, 1871.

House met pursuant to adjournment.

Speaker *pro tem.* Tennant in the chair.

Roll called. Absent—Messrs. Burlingame, Canavan, Cowen, Dovey, Ellyson, Lockwood, Trousdale, Willard, Mr. Speaker.

Mr. Liken asked leave of absence for Mr. Dovey for one day; leave granted.

*Mr. Savage asked leave of absence for Mr. Ellyson for one day; leave granted.

Mr. Greenhalgh asked leave of absence for Mr. Trousdale for one day; leave granted.

Mr. Smith asked leave of absence for Speaker Lowery for one day; leave granted.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

REPORTS OF STANDING COMMITTEES

Mr. Speaker :

Your Standing Committee on Public Printing, pursuant to resolution, beg leave to report the following, as the cost of public printing since the meeting of the present Legislature up to the last measurement of the State Expert. Total cost of printing, including State Officers, Senate and Assembly: Four thousand nine hundred and ten 86-100 dollars (4,910.86). As near as could be estimated, about one third of the above amount was incurred by the Assembly.

M. R. DELANO,
Chairman.

Mr. Speaker:

Your Standing Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be and he is hereby directed to draw his warrant in favor of the persons hereinafter specified:

To Sheyer and Morris, as per voucher.....	\$ 60 60
To J. D. Minor, as per voucher.....	35 00
To T. M. Rochford, as per voucher.....	22 75
	<hr/>
	\$118 35

All of which is respectfully submitted.

T. J. JONES,
Chairman.
H. H. BECK,
O. T. BARBER.

Adopted.

Mr. Speaker:

The Standing Committee on Federal Relations herewith return Assembly Concurrent Resolution No. 109, relating to mail service from Wadsworth, Nevada, to Fort Independence, California, and recommend its passage.

Also Senate Joint Resolution No. 115, relative to the annexation of a portion of Idaho to the State of Nevada, with an amendment thereto giving the consent of the Legislature of this State to such annexation, and recommend that the resolution as amended be passed.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Piper asked leave of absence for one hour; leave granted.

On motion of Mr. Williams, Senate Joint Resolution and Memorial relative to the annexation of a portion of Idaho to the State of Nevada was taken up; amendment of committee concurred in; read third time and passed by the following vote:

YEAS—Messrs. Barber, Buckingham, Child, Cowen, Dangberg, Delano, Dovey, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Savage, Simpson, Tennant, Trousdale, Williams—27.

NAYS—Messrs. Beck, Bowman, Brown, Owen, Potter, Rogers, Smith, Wagner—8.

Absent—Messrs. Burlingame, Canavan, Ellyson, Fuller, Lockwood, Piper, Roney, Willard, Mr. Speaker, Gray, Saville—11.

The following messages were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 17th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Joint Resolution relative to public lands granted by the United States to the State of Nevada, which this day passed the Senate by the following vote: Yeas, 21; nays, 0.

Also, to return Assembly Substitute for Assembly Bill No. 143: An Act to establish and define the boundary line of Elko County," which was this day lost in the Senate by the following vote: Yeas, 11; nays, 11.

Also, to transmit Senate Bill No. 106: An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865—approved March 11th,

1867—approved March 3d, 1869," the same having this day passed the Senate by the following vote: Yeas, 20; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 18th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 129: "An Act to compensate Hon. John Cradlebaugh, late United States District Judge," which passed the Senate on the seventeenth instant by the following vote: Yeas, 13; nays, 7.

Also, Senate Bill No. 140: "An Act to appropriate funds for the preparation and publication of the sixth and seventh volumes of the Nevada reports," the same having passed the Senate on the seventeenth instant by the following vote: Yeas, 18; nays, 0.

Also, to return Assembly Substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund," which passed the Senate on the seventeenth instant, by the following vote: Yeas, 15; nays, 2.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 18th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 23: "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," with the following amendments: In line two, section two, strike out the figure "1" and insert the words "one of this Act." In line three, section two, strike out the word "Clerks" and insert the word "Recorders." In line sixteen, same section, strike out the word "Clerk" and insert the word "Recorder." In line twelve, section three, strike out the word "Clerk" and insert the word "Recorder." In line seventeen, section three, strike out the figure "2" and insert the word "two." In line sixteen, section four, strike out the word "Clerk" and insert the word "Recorder." In line twenty-one, section four, strike out the figure "2" and insert the word "two." In line thirty-two, section four, strike out the word "said." In line ten, section five, strike out the word "Clerks" and insert the word "Recorders." In line fourteen, section five, strike out the figure "2" and insert the word "two." In line twenty-three, section six, strike out the figure "2" and insert the word "two." In line fourteen, section seven, strike out the word "of," between the words "title" and "the." In line seventeen, section seven, strike out the word "owned" and insert the word "hold." In line thirty-three, section nine, after the word "execution" insert the following, "issued out of any District Court for the sale of real estate." In section nine, strike out all after the words "shall be" in line thirty-seven, and before the word "and" in line forty-three, and insert in lieu thereof the following: "apportioned according to the rights of the several parties, in case the proceeds of such sale amount to more than the sum of said liens and the costs of sale, then the remainder shall be paid over to the owner of said property." In line forty-nine, section nine,

strike out the word "duly" and insert the word "personally." In line three, section twelve, strike out the word "and" and insert the word "or." In line nine, section twelve, strike out the word "and" before the word "corded," and insert the word "or." In line thirty-three, section twelve, strike out the word "section" and insert the word "act," In line thirteen, section thirteen, after the word "other" insert the following: "and the word superstructure wherever it occurs in this Act." Also, add the following as "*Section 14*:" "Two or more creditors of the same class may assign their claims, duly verified, to any other creditor, or person of the same class, and the assignee of such claims may claim and hold his lien, as provided in this Act." Also, make "*Section 14*" "*Section 15*," and after the figures "1867," in line eight of this section, insert the following: "Also, an Act supplementary to an Act entitled "An Act for securing liens to mechanics and others," approved November 21, 1861—approved February 12th, 1869," said bill having passed the Senate on the seventeenth instant, as amended, by the following vote: Yeas, 19; nays, 3.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Assembly Bill No. 23: "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," returned from Senate, with amendments, in which the House refused to concur, by the following vote:

YEAS—None.

NAYS—Messrs. Barber, Bowman, Brown, Child, Cowen, Dangberg, Delano, Garaghan, Gray, Harris, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Wagner, Williams—31.

Absent—Messrs. Beck, Buckingham, Burlingame, Canavan, Dovey, Ellyson, Fuller, Greenhalgh, Hatch, Lockwood, Piper, Saville, Trousdale, Willard, Mr. Speaker—15.

Senate Bill No. 106, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and and referred to Committee on Ways and Means.

Senate Bill No. 140: "An Act to appropriate funds for the preparation and publication of the sixth and seventh volumes of the Nevada reports."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means.

Senate Joint Resolution No. 154, relative to public lands granted by Congress to the State of Nevada.

Read the first time, and referred to Committee on Federal Relations.

Senate Bill No. 65: "An Act concerning exemption from jury duty."

Reconsidered by the following vote:

YEAS—Messrs. Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Fuller, Greenhalgh, Hatch, Hay, Jones, Lawson, Likens, Manning, Murphy, Patchen, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Wagner, Williams—25.

NAYS—Messrs. Barber, Beck, Delano, Gray, Harris, McClelan, McLeod, Owen, Organ—9.

Absent—Messrs. Burlingame, Canavan, Dovey, Ellyson, Garaghan, Hogan, Lockwood, Piper, Saville, Trousdale, Willard, Mr. Speaker—12.

On motion of Mr. Bowman, the vote on the final passage was postponed until Monday, February 20th.

Senate Joint Resolution and Memorial, relative to the annexation of a portion of Idaho to the State of Nevada.

Amendment of committee concurred in. Read the third time and passed: Yeas, 27; nays, 9.

Mr. Hay gave notice that he would move for a reconsideration of the vote by which the resolution passed.

Senate Bill No. 129: "An Act to compensate Hon. John Cradlebaugh, late United States District Judge."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Claims.

Assembly Concurrent Resolution No. 109, relative to mail service from Wadsworth, Nevada, to Fort Independence, California, reported back from committee, with recommendation that it do pass.

Mr. Speaker :

The Standing Committee on State Institutions herewith return Senate Bill No. 118, entitled an Act to amend "An Act to provide for the care of the insane of the State of Nevada, and to create a fund for that purpose," and would recommend its passage.

Also, substitute for Senate Bill No. 120, entitled "An Act to exempt certain charitable institutions from taxation," and recommend its passage.

Respectfully, etc.,

JOHN M. GRAY,
Chairman.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 18th, 1871. }

To the Honorable the Assembly;

I have the honor herewith to transmit for the consideration of your honorable body, Senate Joint Resolution No. 156: "To Representatives in Congress on swamp and overflowed lands," which passed the Senate on the 17th inst., by the following vote: Yeas, 20; nays, 1. Also, Senate Joint Resolution No. 155: "Relative to swamp and overflowed lands," which passed the Senate on the 17th inst., by the following vote: Yeas, 20; nays, 1.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Mr. Speaker :

The Standing Judiciary Committee herewith submit a bill, entitled an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, and respectfully recommend its passage.

The committee beg to call attention to the fact that under the operation of the law, as it now exists, many unnecessary tax suits are instituted at great cost to small taxpayers, and without causing any material advantage to the State or counties.

To remedy that difficulty, prevent unnecessary litigation, and save tax-

payers useless costs, the committee have prepared and proposed the foregoing bill, which amends section twenty-nine of the Revenue Act.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Assembly Bill No. 185: "An Act concerning trespasses against property."

Introduced by Mr. Dangberg; read the first time; rules suspended; read the second time by title, and referred to Committee on Agriculture, with instructions to print.

Senate Bill No. 92: "An Act in relation to damages in certain cases."

Read the third time, and lost by the following vote:

YEAS—Messrs. Beck, Child, Greenhalgh, Hatch, Hogan, Jones, Lawson, Manning, McClelan, Potter, Roney, Simpson, Tennant, Trousdale, Williams—15.

NAYS—Messrs. Barber, Bowman, Cowen, Delano, Fuller, Gray, Harris, Hay, Likens, McLeod, Murphy, Owen, Organ, Patchen, Savage, Saville, Smith, Wagner—18.

Absent—Messrs. Buckingham, Burlingame, Brown, Canavan, Dangberg, Dovey, Ellyson, Garaghan, Lockwood, Piper, Rogers, Willard, Mr. Speaker—13.

On motion of Mr. Beck, the special committee appointed on the Capitol Appropriation Bill, was increased from three to five, by the appointment from the Speaker *pro tem.* of Messrs. Beck and Bowman.

Senate Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect, or default."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Child, Cowen, Dangberg, Delano, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Williams—35.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Canavan, Dovey, Ellyson, Lockwood, Patchen, Piper, Willard, Mr. Speaker—11.

Mr. Beck in the chair.

Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Child, Cowen, Dangberg, Fuller, Garaghan, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Potter, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Williams—31.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Canavan, Delano, Dovey, Ellyson, Gray, Harris, Lockwood, Patchen, Piper, Savage, Willard, Mr. Speaker—15.

Mr. Cowen asked leave of absence for the balance of the day. Leave granted.

At 12:35 p. m. the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker *pro tem.* Tennant in the chair.

Roll called. No quorum present.

Mr. Jones was granted leave of absence for the balance of the day.

Mr. Fuller moved to adjourn.

Agreed to, and Mr. Speaker *pro tem.* Tennant declared the House adjourned till 10:30 A. M., on Monday, the 20th instant.

THOMAS J. TENNANT,
Speaker *pro tem.*

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTIETH DAY.

MONDAY, February 20th, 1871.

Assembly convened at 10:30 A. M.

Speaker Lowery in the chair.

Roll called. Absent—Mr. Potter.

Journal of Saturday read and approved.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 17th, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved and deposited with the Secretary of State, Assembly Bill No. 63: "An Act entitled 'An Act to amend an Act entitled An Act to provide for the registration of the names of electors, and to prevent fraud at elections,'" approved March 5, 1869.

L. R. BRADLEY,
Governor.

Mr. Hatch introduced the following resolution :

WHEREAS, It has come to the knowledge of the people of the State of Nevada, that a company has been formed in California with the object of diverting the water of Lake Tahoe from its natural outlet and channel, by means of a canal through the Sierra Nevada mountains into the valleys of California; and

WHEREAS, such diversion is certain to be disastrous to the best interests of the people residing on and in the vicinity of the Truckee River, in this State; therefore

Resolved, That the Judiciary Committee of this House be, and is hereby, requested to investigate the matter and report as early as possible what legislation, if any, is necessary; and if none, then what measures should be adopted by the State authorities to prevent such diversion.

Adopted.

Mr. Manning introduced Concurrent Resolution relating to mail service from Pine Grove to Rockland, Nevada.

Read the first time; rules suspended; read the second time by title; rules further suspended; read the third time, and passed by the following vote:

YEAS — Messrs. Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—35.

NAYS—0.

Absent—Messrs. Barber, Gray, Hay, Lockwood, Organ, Piper, Potter, Rogers, Roney, Saville, Willard—11.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 93: An Act to repeal an Act entitled "An Act to prohibit carrying of concealed weapons," approved February 27th, 1867, which passed the Senate on the 17th instant, by the following vote: Yeas, 16; nays, 2.

Also, to transmit Senate Bill No. 119: An Act to amend an Act entitled "An Act concerning District Attorneys," approved March 11th, 1865, approved February 26th, 1866, which passed the Senate on the 18th instant, by the following vote: Yeas, 20; nays, 0.

Also, to return Assembly substitute for Assembly Bill No. 30: "An Act to pay A. C. Ellis for legal services rendered in the cause of the State of Nevada vs. Henry A. Rhoades, Administrator of the estate of Eben Rhoades, late State Treasurer, and the bondsmen of said Eben Rhoades," with the following amendment to the title: after the word "rendered," insert the words "and to be rendered," which passed the Senate on the 18th instant, as amended, by the following vote: Yeas, 21; nays, 0.

Also, to return Assembly Bill No. 154: "An Act to provide for the removal of the County Seat of Lincoln County," which passed the Senate on the 18th instant, without amendment, by the following vote: Yeas, 19; nays, 0.

Also, to return Assembly Bill No. 2: "An Act to amend section two of an Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto,'" approved March 22d, 1865, approved March 9th, 1866, and with the same to transmit Senate substitute for said bill, entitled "An Act to amend an Act entitled: 'An Act for the incorporation of railroad companies and the management of the affairs thereof, and other matters relating thereto,'" approved March 22d, 1865, which passed the Senate on the 17th instant, by the following vote: Yeas, 14; nays, 2.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 93; An Act to repeal an Act entitled: "An Act to prohibit carrying of concealed weapons."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Morals.

Substitute for Assembly Bill No. 30: An Act to pay A. C. Ellis for legal services, returned from the Senate with title amended, and concurred in by the following vote:

YEAS—Messrs. Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Barber, Gray, Hay, Piper, Potter, Rogers, Roney, Saville—8.

Mr. Lockwood moved that the House take up Senate Bill No. 66: "An Act authorizing a State loan, and levying a tax to provide means for the payment thereof."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Jones, Lawson, Likens, Lockwood, Manning, McClelan, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Smith, Trousdale, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—Messrs. Dangberg, Hogan, McLeod, Simpson—4

Absent—Messrs. Hay, Potter, Tennant—3.

Senate Bill No. 119: "An Act to amend an Act entitled An Act concerning District Attorneys."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Senate Substitute for Assembly Bill No. 2: "An Act to amend section two of an Act to amend an Act entitled 'An Act to provide for the incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto.'"

Read the first time; rules suspended; read the second time by title; rules further suspended; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Rogers, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—38.

NAYS—Messrs. Lawson, Owen—2.

Absent—Messrs. Gray, Hay, Piper, Potter, Roney, Saville—6.

Mr. Savage asked leave to introduce, without previous notice, "An Act to define and establish the boundary line of Elko County, Nevada."

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Mr. Lockwood asked leave to introduce, without previous notice, "An

Act to provide for the compilation of the general laws of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Bowman introduced "An Act to abolish the use of the Latin language by apothecaries, druggists, and physicians in this State."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Trades and Manufactures.

Mr. Hatch asked leave to introduce, without previous notice, "An Act to provide for the compilation of the statutes of the late Territory of Nevada, and of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Tennant, pursuant to previous notice, introduced "An Act to amend an Act to create the county of White Pine, and provide for its organization."

Read the first time; rules suspended; read the second time by title, and referred to Committee on County Boundaries, with instructions to print.

Assembly Bill No. 43: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

Read third time, and lost by the following vote :

YEAS—Messrs. Barber, Bowman, Brown, Canavan, Delano, Hatch, Jones, Manning, Murphy, Organ, Patchen, Savage, Saville, Smith, Tennant, Trousdale, Wagner—17.

NAYS—Messrs. Beck, Burlingame, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Lawson, Likens, Lockwood, McClelan, McLeod, Owen, Piper, Rogers, Roney, Simpson, Williams, Mr. Speaker—24.

Absent—Messrs. Buckingham, Hay, Hogan, Potter, Willard—5.

Mr. Williams gave notice that, he would on to-morrow, move to reconsider the vote by which the passage of the bill was lost.

Substitute for Assembly Bill No. 65: "An Act in relation to public highways."

Read the third time, and passed by the following vote :

YEAS—Messrs. Beck, Bowman, Brown, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Harris, Hatch, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Roney, Saville, Simpson, Trousdale, Wagner, Williams—26.

NAYS—Messrs. Barber, Canavan, Cowen, Gray, Lawson, Owen, Patchen, Piper, Rogers, Savage, Tennant, Willard, Mr. Speaker—13.

Absent—Messrs. Buckingham, Burlingame, Fuller, Greenhalgh, Hay, Potter, Smith—7.

At 12:45 P. M., on motion of Mr. Savage, the House took a recess for one hour.

AFTERNOON SESSION.

Speaker Lowery in the chair.

Roll called. Quorum present.

Mr. Burlingame asked leave to introduce an Act to regulate houses of prostitution.

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole, with instructions to print.

Mr. Lockwood moved that the House resolve itself into Committee of the Whole for the consideration of general file.

In time committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Assembly Bill No. 184, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," amended, reported back and its passage recommended as amended.

Report adopted.

On motion of Mr. Williams, the House resolved itself into Committee of the Whole for the purpose of considering Senate Bill No. 67: "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debt and place the State upon a permanent cash basis."

Mr. Beck in the chair.

In time committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Bill No. 67: "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debt and place the State upon a permanent cash basis," report the same back amended, and recommend that it pass as amended.

Report adopted.

Senate Bill No. 67: "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debt and place the State upon a permanent cash basis."

Read the third time, and passed by the following vote :

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—Mr. Hogan—1.

Absent—Messrs. Barber, Beck, Dovey, Fuller, Saville, Smith—6.

Mr. Hogan asked to have his vote changed from the affirmative to the negative in Senate Bills Nos. 66 and 67.

Granted.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," and have found the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Concurrent Resolution, relative to mail service from Winnemucca to Camp Winfield Scott, Humboldt County, Nevada, and find the same to be correctly enrolled.

Respectfully,

H. A. WILLARD,

Chairman.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly substitute for Senate Bill No. 8: "An Act to provide for the safe keeping of the securities of the State School Fund." Also, Assembly Bill No. 98: "An Act to promote the introduction and use of steam power on the common roads in this State," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully, etc.,

H. A. WILLARD,

Chairman.

Mr. Speaker :

The Committee on Federal Relations, to which was referred Assembly Concurrent Resolution No. 67, in regard to Mongolian immigration, herewith return the same and substitute therefor. The committee recommend the adoption and passage of the substitute.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker:

The Standing Judiciary Committee, to which was referred Assembly Bill No. 124: "An Act in relation to the great seal of the State," herewith return the same. The committee find that the bill is in violation of the provisions of section fifteen of article five of the Constitution, and therefore recommend that it do not pass.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman Judiciary Committee.

The select committee, to whom was referred Senate Bill No. 80, entitled "An Act to incorporate the town of Gold Hill," reported the same back with various and sundry amendments, and recommended the passage of the bill as amended.

Mr. Lowery asked leave to introduce, without previous notice, a bill entitled "An Act for the relief of persons discharged from the State Prison of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

Mr. Burlingame introduced a bill entitled "An Act providing for the better enforcement of the revenue laws of this State."

Read the first time; rules suspended; read the second time by title; rules further suspended; considered engrossed; read third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Green-

halgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—40.

YAYS—Messrs. Brown and Williams—2.

Absent—Messrs. Buckingham, Gray, Harris, Willard—4.

Mr. Bowman moved that the announcement of the vote by which Senate Bill No. 65: "An Act concerning exemption from jury duty," was lost Saturday, be now made.

The final passage of the bill was lost by the following vote :

YEAS—Messrs. Burlingame, Brown, Canavan, Cowen, Dovey, Ellyson, Hatch, Hay, Likens, Potter, Rogers, Simpson, Smith, Tennant, Williams, Mr. Speaker—16.

NAYS—Messrs. Barber, Beck, Bowman, Child, Dangberg, Delano, Fuller, Garaghan, Greenhalgh, Harris, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Roney, Savage, Saville, Trousdale, Wagner—26.

Absent—Messrs. Buckingham, Gray, Lawson, Willard—4.

Senate Bill No. 89: "An Act to consolidate and fund the indebtedness of Elko County."

Read the third time, and passed by the following vote :

YEAS—Messrs. Bowman, Brown, Canavan, Child, Cowen, Dangberg, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Trousdale, Wagner, Willard, Williams, Mr. Speaker—36.

NAYS—Messrs. Beck and Tennant—2.

Absent—Messrs. Barber, Buckingham, Burlingame, Delano, Dovey, Lawson, Likens, Murphy—8.

Mr. Hatch moved to adjourn. Lost.

On motion of Mr. Jones, Assembly Bill No. 132: "An Act supplemental to an Act to provide for incorporation of railroad companies, and the management of the affairs thereof, and other matters relating thereto," was taken from the table and placed on general file.

On motion, the House adjourned at 4:30 p. m.

ROBERT E. LOWERY,
Speaker of Assembly.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-FIRST DAY.

FRIDAY, February 21st, 1871.

Assembly convened at 10:30 A. M. Speaker *pro tem*. Tennant in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Lockwood asked leave of absence for the Committee on State Capitol. Granted.

Mr. Speaker:

Your Standing Committee on Public Morals, to whom was referred Senate Bill No. 93, an Act to repeal an Act entitled "An Act to prohibit carrying concealed weapons," have had the same under consideration and beg leave to report the same back to the House, and recommend its passage.

W. A. TROUSDALE,
Chairman.

Mr. Speaker:

The undersigned members of your Committee on Public Morals, to whom was referred Assembly Bill No. 160: "An Act to regulate gaming," have had the same under consideration, have come to a favorable conclusion thereon and report the same back to the House, and recommend its passage as amended.

W. A. TROUSDALE.
J. A. BURLINGAME.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 106, entitled "An Act to amend an Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865; approved March 11th, 1867; approved March 3d, 1869, have had the same under consideration, beg leave to report the same back, with the recommendation that it do pass.

J. A. SAVAGE,
Chairman.

Senate Joint Resolution No. 151, relative to the election of a Board of Regents.

Rules suspended; read the second time by title; read the third time, and concurred in by the following vote:

YEAS—Messrs. Barber, Buckingham, Burlingame, Canavan, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Beck, Bowman, Brown, Child, Cowen, Gray, Lockwood, Williams—8.

Mr. Speaker :

Your special committee, consisting of Committees on Internal Improvements and Mines and Mining, to whom was referred Assembly Bill No. 172: "An Act granting the right of way, and other privileges, to the Union Pacific Tunnel Company, in the construction of a draining and exploring tunnel in Lander Hill, Lander County, Nevada," beg leave to report the same back, and recommend its passage.

Respectfully, etc.,

D. MURPHY,
Chairman.

Mr. Speaker :

Your Standing Committee on Trade and Manufactures, to whom was referred Assembly Bill No. 197, entitled "An Act to abolish the use of the Latin language by apothecaries, druggists and physicians in Nevada," beg leave to report that they have had the same under consideration and report the same back to the House, with the following amendments: Strike out the title of the same and substitute therefor the following, viz: "An Act to enforce the use of the English language by druggists and others in the State of Nevada." In line six, section two, strike out the words "one hundred" and insert "fifty;" in line seven, same section, strike out the words "five hundred" and insert "two hundred;" in line eleven, same section, strike out the word "thirty" and insert "ten;" in line twelve, strike out the word "ninety" and insert "forty."

Respectfully, etc.,

M. R. DELANO,
Chairman.

Mr. Speaker :

The undersigned, a minority of Standing Committee on Trade and Manufactures, having considered "An Act to abolish the use of the Latin language by apothecaries, druggists and physicians in the State of Nevada," beg leave to report, that in the opinion of the undersigned minority of committee, the bill is impracticable and would work a hardship to druggists and physicians, without being of any practical benefit to the public, and would recommend that it do not pass.

Respectfully submitted,

A. J. HATCH,
Of Committee on Trade and Manufactures.

Mr. Speaker :

The undersigned, members of your select committee to whom was referred Concurrent Resolution No. 21, relative to calling a Constitutional Convention, have had the same under consideration, and have directed their Chairman to report the same back to the House, and recommend its passage.

Respectfully, etc.,

J. A. BURLINGAME,	Chairman.
A. McLEOD,	W. A. TROUSDALE,
J. A. SAVAGE,	THOS. H. WILLIAMS,
W. B. GARAGHAN,	A. H. GREENHALGH,
J. J. McCLELAN,	W. C. DOVEY,
T. J. JONES,	

Mr. Speaker:

Your Standing Committee on Claims, to whom was referred Senate Bill No. 129, "An Act to compensate Hon. John Cradlebaugh, late United States District Judge," beg leave to report that they have had the same under consideration, believe it a just claim and ought to be paid, therefore recommend that the same do pass.

Respectfully, etc.,

JOHN S. CHILDS,
Chairman.

A. H. GREENHALGH,

H. H. HOGAN,

HENRY PIPER.

Mr. Speaker:

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 117: "An Act supplementary to an Act to repeal an Act of the Legislature of the State of Nevada, entitled "An Act to incorporate the town of Hamilton," approved March 6th, 1869, and have found the same correctly engrossed.

Respectfully, etc.,

C. H. PATCHEN,
Chairman.

Mr. Speaker:

Your select committee to whom was referred Senate Bill No. 28: "An Act for the relief of Peter Goodfellow, County Treasurer of Lincoln County," has had the same under consideration, and recommend its passage, for the reason that the said Goodfellow held the office of Treasurer of Lincoln county from the first of July, 1869, to the first of July, 1870, and received therefor only the sum of one hundred and thirty-two dollars, no salary having been fixed by law for the Treasurer of said Lincoln County."

M. B. GARAGHAN.

Lincoln County Delegation.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1871. }

To the Honorable the Assembly:

I am instructed to inform your honorable body, that the Senate has this day refused to concur in Assembly Amendments to Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada," and ask that a committee of conference be appointed from your honorable body to meet a like committee from the Senate, consisting of Messrs. Eastman, Small and Hopkins, who have been this day appointed as such committee.

Also, that the Senate has this day refused to concur in Assembly amendments to Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum, a duly incorporated benevolent institution, located at Virginia City, Storey County, State of Nevada," and Messrs. Hall, Mullen and Brown have been appointed on the part of the Senate a conference committee to meet a like committee when appointed from your honorable body.

I am also directed to return to your honorable body Assembly Substitute for Senate Bill No. 38, entitled "An Act concerning stock running

at large unlawfully," which was this day indefinitely postponed by the Senate.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

Mr. Lowery presented a memorial from the Board of Aldermen of the city of Virginia, relative to the consolidation of the city and county governments.

Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada."

The House refused to recede from its amendments, and the following Conference Committee was appointed: Messrs. Hogan, Hatch, Beck, Tennant, and McClelan.

Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum," House refused to recede from its amendments, and the following Conference Committee was appointed to meet a like committee from the Senate: Messrs. Williams, Garaghan, Owen, Jones, and Simpson.

Senate Bill No. 10: "An Act to amend an Act amendatory of an Act to provide for the maintenance and supervision of public schools."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

Senate Bill No. 161: "An Act to authorize the payment of certain claims against Storey County."

Read the first time; rules suspended; read the second time by title, and referred to Storey County delegation.

Senate Bill No. 153: "An Act relative to the salary of the Judge of the Fourth Judicial District."

Read the first time; rules suspended; read the second time by title, and referred to the Humboldt delegation.

Senate Bill No. 139: "An Act to amend an Act entitled 'An Act to amend an Act to provide for organizing and disciplining the militia of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee on Military and Indian Affairs.

Senate Bill No. 145: "An Act to provide for the transfer of certain moneys from the indigent sick and contingent funds of Churchill County to the general fund of said county."

Read the first time; rules suspended; read the second time by title, and referred to the Churchill delegation.

Senate Bill No. 130: "An Act in relation to recordation and satisfaction of certain papers and copies of process."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Senate Bill No. 165: "An Act fixing the time for holding the terms of the District Court of the Fourth Judicial District."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Senate Joint Resolution No. 159: Asking the State of California to cede the territory East of the summit of the Sierras to Nevada.

Read the first time; rules suspended; read the second time by title, and referred to Committee on Counties and County Boundaries.

Senate Bill No. 167: "An Act to amend an Act entitled 'An Act concerning County Recorders and defining their duties.'"

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Proposed amendment to the Constitution: Relative to striking out the word "white."

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Mr. Jones introduced a bill entitled "An Act to amend an Act entitled 'An Act concerning juries.'"

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Mr. Tennant, pursuant to previous notice, introduced a bill entitled "An Act to authorize the Board of County Commissioners of White Pine County to purchase the 'Irvine toll road.'"

Read the first time; rules suspended; read the second time by title, and referred to the White Pine delegation.

Mr. Tennant, pursuant to previous notice, introduced a bill entitled: "An Act for the relief of certain persons paying revenue to Utah Territory under compulsion."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State, Assembly Bill No. 98: "An Act to promote the introduction and use of steam power for transportation purposes on common roads in this State."

L. R. BRADLEY,
Governor.

The following messages were received from the Hon. the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 102: "An Act to amend an Act, amendatory of an Act to provide for the maintenance and supervision of Public Schools, approved March 20th, 1865, and the Acts amendatory thereof, approved March 6th, 1869," which passed the Senate this day by the following vote: Yeas, 23; nays, 0. Also, the Senate Bill No. 161: "An Act to authorize the payment of certain claims against Storey County," which passed the Senate this day by the following vote: Yeas, 21; nays, 0."

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 20th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 165: "An Act fixing the time for hold-

ing the terms of the District Court of the Fourth Judicial District," which passed the Senate this day by the following vote: Yeas, 22; nays, 0. Also, Senate Bill No. 167: "An Act to amend an Act entitled 'An Act concerning County Recorders and defining their duties,' approved March 9th, 1865," the same having passed the Senate this day by the following vote: Yeas, 21; nays, 1. Also, Senate Bill No. 145: "An Act to provide for the transfer of certain moneys from the Indigent Sick and Contingent Funds of Churchill County to the General Fund of said county," the same having passed the Senate this day by the following vote: Yeas, 20; nays, 0. Also, Senate Bill No. 130: "An Act in relation to recordation and satisfaction of certain papers and copies of process," which this day passed the Senate by the following vote: Yeas, 21; nays, 0. Also, Senate Bill No. 153: "An Act relative to the salary of the Judge of the Fourth Judicial District," which this day passed the Senate by the following vote: Yeas, 22; nays, 0. Also, Senate Bill No. 139: "An Act to amend an Act entitled an Act to amend an Act to provide for organizing and disciplining the militia of the State of Nevada, approved March 4th, 1865, approved March 12th, 1867," which this day passed the Senate by the following vote: Yeas, 17; nays, 4. Also, Senate Joint Resolution No. 159: "Asking the State of California to cede the territory east of the summit of the Sierras, to Nevada," the same having this day passed the Senate by the following vote: Yeas, 22; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

By Mr. Burlingame:

Resolved, That when this House does adjourn, it adjourns until Thursday, the 23d instant, in honor of the anniversary of the birth of Washington.

Adopted.

Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada."

Read the third time; amended by striking out, in section 16, the words "two thousand" and inserting "twenty-four hundred," and passed as amended, by the following vote:

YEAS—Messrs. Barber, Burlingame, Brown, Canavan, Cowen, Dangberg, Delano, Ellyson, Fuller, Garaghan, Hatch, Hay, Hogan, Jones, Lawson, Likens, Murphy, Patchen, Piper, Potter, Saville, Smith, Tenant, Trousdale, Wagner, Mr. Speaker—27.

NAYS—Messrs. Dovey, Greenhalgh, Harris, Manning, McClelan, McLeod, Owen, Rogers, Roney, Simpson, Willard—11.

Absent—Messrs. Beck, Bowman, Child, Gray, Lockwood, Organ, Savage, Williams—8.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 30, entitled: "An Act to pay A. C. Ellis for legal services." Also, Assembly Bill No. 154, entitled: "An Act to provide for the removal of the county seat of Lincoln County," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully, etc.,

H. A. WILLARD,

Chairman.

On motion of Mr. Savage, at 1 o'clock p. m., the House took a recess for one hour.

AFTERNOON SESSION.

Speaker Lowery in the chair.

Roll called. Quorum present.

By Mr. Savage:

Resolved, That the special committee, to which was referred Assembly Bill No. 122, be, and they are hereby, authorized to send for persons and papers and administer oaths without expense to the State.

Adopted.

Mr. Saville moved a call of the House.

Several members appeared at the Bar of the House and were admitted to their seats.

On motion, further proceedings under call of the House were dispensed with.

Mr. Savage asked leave of absence for the select committee on the Capitol building for the balance of the day. Granted.

Mr. Williams asked that his motion to reconsider the vote by which Assembly Bill No. 43, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," was lost, be deferred until Thursday, the 23d inst.

Agreed to.

Mr. Williams asked leave of absence for the balance of the day. Leave granted.

Assembly Bill No. 184, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Judiciary Committee allowed to withdraw for the purpose of reconsideration.

Assembly Bill No. 167: "An Act to grant Hill Beachy, and others, the right of way to build and maintain a narrow gauge railroad from Reno, Washoe County, to Virginia City, Storey County."

Mr. Saville moved that a special committee of one be appointed to strike out the name of Geo. E. Ferrend; the Speaker appointed Mr. Saville as such committee, who reported as having performed the duty.

On motion, the bill was considered engrossed, and placed on its third reading and final passage.

Bill read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Canavan, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—39.

NAYS—0.

Absent—Messrs. Beck, Child, Garaghan, Greenhalgh, Lockwood, Willard, Williams—7.

Assembly Bill No. 117, an Act supplementary to an Act to repeal an

Act of the Legislature of the State of Nevada, entitled "An Act to incorporate the town of Hamilton."

Read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Brown, Canavan, Cowen, Dangberg, Delano, Dovey, Ellyson, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Manning, McClelan, Owen, Organ, Patchen, Piper, Potter, Rogers, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—30.

NAYS—0.

Absent—Messrs. Beck, Bowman, Buckingham, Burlingame, Child, Fuller, Garaghan, Gray, Hogan, Lockwood, McLeod, Murphy, Roney, Savage, Saville, Williams—16.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly :

I am instructed to inform your honorable body that the Senate has this day refused to concur in Assembly amendments to Senate Bills Nos. 66 and 67, and ask that a conference committee be appointed from your honorable body, and the Senate Standing Committee on Ways and Means has been appointed on the part of the Senate as such committee.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

The chair appointed the Committee on Ways and Means as conference committee on part of the Assembly.

The following message was received from the Governor :

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved and deposited with the Secretary of State Assembly Bill No. 30: "An Act to pay A. C. Ellis for legal services rendered, and to be rendered, in the cause of the State of Nevada against Henry A. Rhoades, administrator of the estate of Eben Rhoades, late State Treasurer, and the bondsmen of said Eben Rhoades." Also, Assembly Bill No. 154: "An Act to provide for the removal of the county seat of Lincoln County, by the qualified electors of said county."

L. R. BRADLEY,

Governor.

The following message was received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 179: "Relative to instructing Representatives in Congress to use their influence to induce the government to list over the lands belonging to the Central Pacific Railroad in this State," which passed the Senate on the 20th instant by the following vote: Yeas, 22;

nays, 0. Also, to return Assembly Concurrent Resolution No. 191: "Relating to mail service from Pine Grove to Rockland, Nevada," the same having passed the Senate this day by the following vote: Yeas, 18; nays, 0. Also, to transmit for the consideration of your honorable body, Senate Bill No. 132: "An Act to provide for the destruction of noxious animals within this State," the same having this day passed the Senate by the following vote: Yeas, 13; nays, 9.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 175: "An Act to provide for the codification of the revenue laws of this State."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

On motion of Mr. Hogan, the House resolved itself into Committee of the Whole, for the purpose of considering general file.

In time, committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 193: "An Act to define and establish the boundary line of Elko county," report the same back and recommend its passage.

Also, "Proposed amendment to the Constitution," No. 206, reported back, with recommendation that it be made a special order for next Monday, at twelve m.

Also, Assembly Bill No. 207: "An Act to amend an Act entitled 'An Act concerning juries,' approved March 3, 1866;" reported back and passage recommended.

Also, Assembly Bill No. 81: An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9, 1865, reported back, with recommendation that it be printed.

Also, Assembly Bill No. 152: "An Act to amend an Act entitled 'An Act to amend An Act entitled An Act to provide revenue for the support of the government of the State of Nevada,'" reported back, considered engrossed, and its passage recommended.

Also, Assembly Bill No. 151: "An Act fixing the salaries of the different County Treasurers of the State of Nevada," reported back, with the recommendation that it be placed at the bottom of the file.

Also, Assembly Bill No. 155: An Act to amend an Act entitled "An Act to further amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" reported back, with recommendation that it be printed.

Also Assembly Concurrent Resolution No. 110: Proposition to amend the Constitution of Nevada; reported back, with recommendation that it be made a special order for Monday, February 27, at twelve m.

Also, Assembly Bill No. 114: An Act to amend an Act entitled "An Act to amend an Act passed by the Legislature of the Territory of Nevada to provide for the appointment of Notaries Public;" reported back, and recommend that it do pass.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 175: "An Act to provide for the codification of the revenue laws of this State," the same having this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Also, to return Assembly Bill No. 76: "An Act relating to accounts against the State," which this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Also, to return Assembly Bill No. 70: An Act to amend an Act entitled "An Act to provide for the government of the State Prison of the State of Nevada," approved March 4th, 1865, and to repeal an Act amendatory thereof, approved March 13th, 1867, the same having been indefinitely postponed by the Senate.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

By Mr. Smith:

Resolved, by the House that the journal clerk be and is hereby empowered to employ an assistant clerk at six dollars per diem for the balance of the session.

Adopted.

Mr. Hay asked leave of absence for the Defalcation Committee for the balance of the day. Granted.

Mr. Speaker offered the following:

Resolved, By the Assembly, the Senate concurring, That the two Houses meet in Joint Convention in the Assembly chamber, on February 23d, at 7 o'clock p. m., for the purpose of electing a Board of Regents.

On motion of Mr. Murphy the House took a recess until 7 o'clock, p. m.

EVENING SESSION.

House met at 7 o'clock p. m.

Speaker *pro tem.* Tennant in the chair.

Roll called. Quorum present.

On motion of Mr. Hay the House resolved itself into Committee of the Whole for consideration of general file.

Mr. Williams in the chair.

In time, Committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Bill No. 12: "An Act providing for the taxing of the net proceeds of mines," report the same back with recommendation that it do not pass. Also, substitute to Senate Bill No. 54: "An Act to change the county seat of Lincoln county." Substitute to the substitute adopted, amended and reported back with recommendation that it do pass as amended. Also, Assembly Bill No. 164: "An Act to amend an Act entitled 'An Act for the purpose of placing the finances of Lyon county upon a permanent cash basis, and to provide for the payment of the outstanding indebted-

ness of the said county,' approved February 4th, 1869," report the same back with recommendation that it do pass. Also, Assembly Bill No. 125: "An Act to amend an Act entitled 'An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada,' approved March 8th, 1865," reported back with recommendation that it be re-committed to a committee of one, composed of Mr. Wagner, with instructions to adopt the substitute to section three, offered by Mr. Tennant. Also, Assembly Bill No. 141: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 9th, 1865," report the same back with recommendation that it be laid temporarily on the table. Also, Assembly Bill No. 69: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 9th, 1865," report the same back with recommendation that it do pass.

Report adopted.

On motion of Mr. Savage, Assembly Bill No. 193 was taken up: "An Act to define and establish the boundary line of Elko county."

Rules suspended; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Brown, Child, Cowen, Dangberg, Dovey, Garaghan, Greenhalgh, Harris, Hay, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Potter, Savage, Tennant, Trousdale, Willard, Mr. Speaker—26.

NAYS—0.

Absent—Messrs. Barber, Buckingham, Canavan, Delano, Ellyson, Fuller, Gray, Hatch, Hogan, Likens, Murphy, Piper, Rogers, Roney, Saville, Simpson, Smith, Wagner, Williams, Burlingame—20.

On motion, at 9:20 P. M., the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-THIRD DAY.

THURSDAY, February 23d, 1871.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. All present.

Prayer by the chaplain, the Rev. J. D. Hammond.

Journal of the twenty-first instant read and approved.

Mr. Speaker:

Your select committee to whom was referred Senate Bill No. 153: "An Act relating to the salary of the Judge of the Fourth Judicial District," and Senate Bill No. 165: "An Act to fix the time for holding the terms of the District Court of the Fourth Judicial District," have had the same

under consideration, and ask leave to report the same back to the House, and recommend that they do pass.

W. A. TROUSDALE,
JOSEPH ORGAN,
THOMAS HARRIS.

Mr. Speaker:

Your select committee to whom was referred Senate Bill No. 145, entitled "An Act to provide for the transfer of certain moneys from the indigent sick and contingent funds of Churchill County to the general fund of said county," have had the same under consideration, herewith return the same and recommend its passage.

J. M. GRAY,
J. J. McCLELAN,
Churchill County Delegation.

Mr. Speaker:

Your Standing Committee on Contingent Expenses, beg leave to report by resolution:

Resolved, That the Sergeant-at-Arms be, and he is hereby directed to draw his warrant in favor of L. A. Frisbie for twenty dollars, as per voucher, which is respectfully submitted.

T. J. JONES,
Chairman.

Adopted.

Mr. Beck moved that when the House adjourns it adjourn until tomorrow at 10 o'clock. Adopted.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 21st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 23, the Senate having this day refused to recede from its amendments by the following vote: Yeas, 19: nays, 2.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Mr. Hay gives notice that he will, on some future day, ask leave to introduce a bill for an Act to foster the fire department of Gold Hill, Storey County. Also, a bill for an Act to protect licensed physicians and surgeons.

Mr. Speaker appointed as conference committee to confer with committee from the Senate, to consider Assembly Bill No. 23: "An Act to secure liens to mechanics and others," Messrs. Bowman, Potter and Jones.

Mr. Tennant introduced a bill entitled "An Act to authorize and empower the County Commissioners of White Pine County to provide for the re-indexing of certain records of said county."

Read the first time; rules suspended; read the second time by title; considered engrossed, and placed on general file for third reading.

Mr. Brown introduced Assembly Bill No. 222: "An Act to provide for the payment of the claim of Jonathan Williams."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

Senate Bill No. 132: "An Act to provide for the destruction of noxious animals within this State."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Agriculture.

Mr. Brown introduced Assembly Bill No. 219, an Act to amend an Act entitled an Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means.

Mr. Organ introduced Assembly Bill No. 220, an Act to amend an Act entitled "An Act to create a Board of County Commissioners in the several counties of this State, and to define the powers and duties thereof."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

Mr. Williams introduced Assembly Bill No. 224, an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the first time; rules suspended; read the second time by title; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Williams, Mr. Speaker—38.

NAYS—Mr. Smith—1.

Absent—Messrs. Burlingame, Canavan, Hogan, Organ, Patchen, Wagner, Willard—7.

Mr. Speaker :

Your select committee, to which was referred Assembly Bill No. 122, have had the same under consideration, and beg leave to report a substitute for the same, with the recommendation that it do pass.

A. J. LOCKWOOD,
Chairman.

Substitute for Assembly Bill No. 122: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City."

Ordered printed, and made the special order for February 24th, at seven o'clock p. m.

Mr. Beck introduced Assembly Bill No. 225: "An Act to provide for the properly taking care of the indigent insane of the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

Mr. Beck introduced Assembly Bill No. 226, an Act to amend an Act entitled "An Act to create counties and establish the boundaries thereof."

Read the first time; rules suspended; read the second time by title, and referred to Ormsby and Washoe delegations.

Senate Joint Resolution No. 113, relative to appointing a committee to establish a basis for a change of representation; recommendation of Judiciary Committee adopted, and the resolution, with amendments, concurred in.

Mr. Lockwood in the chair.

Mr. Speaker:

Your select committee of conference have had under consideration Senate Bill No. 66, entitled "An Act authorizing a State loan and levying a tax to provide means for the payment thereof," and report that they have agreed to all the amendments to said bill proposed by this House.

Said committee has also had under consideration Senate Bill No. 67, entitled "An Act to authorize a State loan for the purpose of paying the State proportion of the bonds issued under the Act approved February 6th, 1867, and to fund the floating debt and to place the State upon a permanent cash basis," beg leave to report that they have agreed to all the amendments proposed by this House, except the following, viz: In line thirty-seven, section five, after the words "hereinafter provided," strike out all of the balance of the section, viz: lines thirty-seven, thirty-eight, thirty-nine, forty, forty-one, forty-two, forty-three and forty-four; from which last mentioned amendment your committee recommend and ask that the house do recede.

Respectfully,

J. A. SAVAGE,
Chairman.

Adopted.

On motion, the House took a recess for one hour at 1 o'clock, P. M.

AFTERNOON SESSION.

House met at 2 o'clock, P. M.

Mr. Speaker in the chair.

Roll called. Quorum present.

REPORT OF STANDING COMMITTEE.

Mr. Speaker:

Your Standing Committee on Corporations, to which was referred Assembly Bill No. 128: "An Act to regulate foreign insurance companies doing business in this State," have had the same under consideration, and respectfully report the same back to the House, and recommend its passage with the following amendments:

In section one, line one, strike out the word "April," and insert the word "May," in lieu thereof; in section three, line six, strike out the word "March," and insert the word "May," in lieu thereof; in section six, line thirteen, strike out the word "be," and insert the words "have been," in lieu thereof; in section seven, line eight, strike out the words "seventy-five," which occur before the word "thousand," and insert, in lieu thereof, the word "fifty," also, in same section (No. 7), line seventeen, strike out the word "March," and insert the word "May," in lieu

thereof; in section thirteen, line fourteen, insert the word "be," between the words "shall" and "liable."

Respectfully submitted,

R. T. SMITH,
Chairman.
C. S. SAVILLE,
C. H. PATCHEN,
J. W. ELLYSON.

THIRD READING OF BILLS.

Assembly Bill No. 114: "An Act to amend an Act entitled an Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled 'An Act to provide for the appointment of Notaries Public, and defining their duties.'"

Read the third time; referred to a committee of one to amend, and passed, as amended, by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—42.

NAYS—0.

Assembly Bill No. 152: "An Act to amend an Act entitled 'An Act to amend an Act entitled an Act to provide revenue for the support of the government of the State of Nevada.'"

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Williams and Mr. Speaker—40.

NAYS—0.

Mr. Williams moved to reconsider the vote by which Assembly Bill No. 43: "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,'" was lost.

Motion agreed to.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Canavan, Child, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Williams—53.

NAYS—Messrs. Beck, Brown, Dangberg, Lockwood, Piper, Wagner, Mr. Speaker—7.

Mr. Savage asked leave of absence for the Committee on Ways and Means, for the balance of the day. Leave granted.

Assembly Bill No. 207: "An Act to amend an Act concerning juries."

Read third time and lost by the following vote:

YEAS—Messrs. Bowman, Buckingham, Child, Dangberg, Delano, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Hatch, Jones, McLeod, Murphy, Patchen, Roney, Simpson, Tennant, Trousdale, Mr. Speaker—20.

NAYS—Messrs. Barber, Beck, Brown, Canavan, Dovey, Harris, Hay, Hogan, Lawson, Likens, Lockwood, McClelan, Owen, Organ, Piper, Saville, Smith, Wagner, Willard—19.

Substitute for Assembly Bill No. 54: "An Act to change the county seat of Lincoln County."

Considered engrossed; read the third time and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—38.

NAYS—0.

Absent—Messrs. Burlingame, Cowen, Fuller, Manning, Potter, Savage, Smith, Williams—8.

Assembly Bill No. 164: An Act to amend an Act entitled "An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of said county."

Considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Hatch, Hay, Hogan, Jones, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Saville, Simpson, Tennant, Trousdale, Wagner, Willard—34.

NAYS—0.

Absent—Messrs. Burlingame, Cowen, Fuller, Greenhalgh, Harris, Lawson, Manning, Potter, Savage, Smith, Williams, Mr. Speaker—12.

Assembly Bill No. 69: An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Read the third time and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Rogers, Roney, Simpson, Tennant, Trousdale, Wagner, Willard—32.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Cowen, Fuller, Greenhalgh, Harris, Manning, Piper, Potter, Savage, Saville, Smith, Williams, Mr. Speaker—14.

The following message was received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 133: "An Act to procure certain historical paintings, and make provision for paying therefor," the same having this day passed the Senate by the following vote: Yeas, 20; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

On motion of Mr. Organ, Senate Bill No. 165: "An Act fixing the time for holding the terms of the District Court of the Fourth Judicial District," was taken up, read the third time and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—32.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Cowen, Garaghan, Hatch, Hay, Manning, Patchen, Piper, Potter, Savage, Saville, Smith—14.

On motion of Mr. Gray, Senate Bill No. 145: "An Act to provide for the transfer of certain moneys from the indigent sick and contingent funds of Churchill County to the general fund of said county," was taken up, read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Cowen, Fuller, Garaghan, Hatch, Hay, Patchen, Piper, Potter, Saville, Smith—13.

REPORT OF STANDING COMMITTEE.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 76, entitled "An Act relating to accounts against the State," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval. Also, Concurrent Resolution No. 179.

H. A. WILLARD,

Chairman.

By Mr. Savage:

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant in favor of F. M. Proctor, for the balance due him as per diem for service as Copying Clerk of the Assembly, to and including this date.

Referred to the Committee on Claims.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved and deposited with the Secretary of State Assembly Bill No. 76: "An Act relating to accounts against the State."

L. R. BRADLEY,
Governor.

On motion of Mr. Jones, Assembly Bill No. 172: "An Act granting the right of way and other privileges to the Union Pacific Tunnel Company in the construction of a draining and exploring tunnel in Lander Hill, Lander County, Nevada," was taken up and placed on its third reading and final passage.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Dovey, Ellyson, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Saville, Simpson, Smith, Tennant, Wagner, Willard, Williams, and Mr. Speaker—36.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Delano, Fuller, Garaghan, Gray, Patchen, Piper, Potter, Savage, Trousdale—11.

On motion of Mr. Williams, Substitute for Assembly Concurrent Resolution No. 67, relative to Chinese immigration, was considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Lickens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Saville, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, and Mr. Speaker—39.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Delano, Hatch, Patchen, Piper, Potter—7.

Senate Bill No. 153: "An Act relative to the salary of the Judge of the Fourth Judicial District."

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Canavan, Child, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Rogers, Roney, Savage, Saville, Smith, Tennant, Trousdale, Wagner, Willard, Williams, and Mr. Speaker—39.

NAYS—0.

Absent—Messrs. Buckingham, Burlingame, Brown, Delano, Patchen, Piper, Potter—7.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Substitute for Senate Bill No. 54: "An Act to change the county seat of Lincoln County," the same having this day passed the Senate by the following vote: Yeas 18; nays, 0.

Very respectfully,

CHAS. F. BICKNELL,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 167: "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum," the same having this day passed the Senate by the following vote: Yeas, 15; nays, 5.

Respectfully, etc.,

CHAS. F. BICKNELL,
Secretary of Senate.

Senate Bill No. 167.

Read the first time; rules suspended; read the second time by title, and referred to Committee on State Institutions.

Mr. Hay, without previous notice, introduced Assembly Bill No. 228: "An Act to authorize the Miners' Union of Virginia City, Storey County, to give a public concert, or gift entertainment."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Public Morals.

At 4:30 p. m., on motion of Mr. Gray, the House took a recess until 7 o'clock, p. m.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Quorum present.

Mr. Tennant moved that a committee of two be appointed to wait upon the Senate and inform that honorable body that the House was now ready to meet them in joint convention, for the purpose of electing a Board of State Regents.

The Speaker appointed as such committee, Messrs. Tennant and Williams.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body, Assembly Concurrent Resolution, No. 218: Relative to the election of a Board of

Regents, the same having this day passed the Senate by the following vote: Yeas, 17; nays, 4.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Mr. Savage introduced Assembly Bill No. 232: "An Act to amend an Act entitled 'An Act relative to attorneys and counselors at law.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

The committee appointed to wait upon the Senate returned to the House with that honorable body, and reported as having performed their duty.

President *pro tem.* of the Senate in the chair.

Roll called. Quorum present.

By Mr. Tennant :

Resolved, That in voting for Regents, each member of this Convention rise in his place when his name is called, and name three candidates; and it shall require a majority of the joint convention to elect.

Adopted.

Mr. Bonnifield placed in nomination Miss H. K. Clapp.

Mr. Manning placed in nomination Governor Bradley, Jerry Schooling and W. W. Hobart.

Mr. Hall placed in nomination J. D. Minor.

By Mr. Mills:

Resolved, That on each ballot when there is no choice, the name of the person receiving the smallest number of votes, be dropped.

Laid temporarily on the table.

First Ballot—

P. H. Clayton received	27 votes.
S. H. Day received	35 votes.
Gov. Bradley received	13 votes.
W. W. Hobart received	29 votes.
Jerry Schooling received	52 votes.
J. D. Minor received	21 votes.
Miss Clapp received	6 votes.

The chair announced that Jerry Schooling and S. H. Day, having received a majority of all the votes cast, were declared duly elected.

Mr. Manning asked leave to withdraw the name of Governor Bradley.

Mr. Bonnifield withdrew the name of Miss Clapp.

Second Ballot—

Mr. Clayton received	35 votes.
Mr. Hobart received	26 votes.
Mr. Minor received	1 vote.

Mr. Clayton, having received a majority of all the votes cast, was declared duly elected.

On motion of Senator Hall, the convention adjourned.

House in session. Speaker Lowery in the chair.

Roll called. Quorum present.

On motion of Mr. Beck, the House resolved itself into Committee of the Whole for the purpose of considering special orders. Mr. Lockwood in the chair.

In time committee rose and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration substitute for Senate Bill No. 12: "An Act providing for the taxation of the net proceeds of mines," report the same back, amended, and recommend its passage as amended.

Report received.

Mr. Bowman in the chair.

Mr. Williams asked leave of absence for to-morrow. Leave granted.

At ten o'clock P. M., on motion of Mr. Owen, the House adjourned.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-FOURTH DAY.

FRIDAY, February 24th, 1871.

House met at ten o'clock A. M. Speaker Lowery in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Burlingame asked leave of absence for the balance of the day. Granted.

REPORTS OF STANDING COMMITTEES.

Mr. Speaker:

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 182, "An Act to repeal an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada, approved March 9th, 1865, and other Acts amendatory and supplementary thereof, approved March 12th, 1867,'" have had the same under consideration, beg leave to report back and recommend its passage.

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 1: "An Act to amend an Act entitled 'An Act to create a Board of County Commissioners in the several counties of this State, and to define their duties and powers, approved March 8th, 1865;' approved February 27th, 1869"; have had the same under consideration, report the same back and recommend its passage with the following amendments: In section one, next to the last line, between the words "mileage" and "shall," insert the words "for all services rendered as committee-men or otherwise."

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 212: "An Act for the relief of certain persons paying revenue to Utah Territory under compulsion," have had the same under consideration, beg leave to report back and recommend that it do not pass.

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Claims, to whom was referred the resolution directing the Sergeant-at-Arms to draw his warrant in favor of F. M. Proctor for a balance due him, as per diem, for services as copying clerk of the Assembly, to and including this date, beg leave to report that they have had the same under consideration, and have directed their chairman to ask leave to report the same back without recommendation.

Respectfully,

JOHN S. CHILD,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to whom was referred Assembly Bill No. 200: "An Act for the relief of persons discharged from the State Prison of the State of Nevada," have had the same under consideration, beg leave to report back and recommend that it do not pass.

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your select committee, composing the Storey County delegation, to whom was referred Senate Bill No. 161, entitled "An Act to authorize the payment of certain claims against Storey County," beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and have instructed their chairman to report accordingly.

Respectfully, etc.,

A. C. HAY,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 140, entitled "An Act to appropriate funds for the preparation and publication of the sixth and seventh volumes of the Nevada Reports," have had the same under consideration, beg leave to report back and recommend its passage with the following amendments, viz: In section one, line two, strike out the words "thirty-seven hundred," and insert in lieu thereof the words "three thousand;" next to last line, same section, strike out the words "thirty-seven hundred," and insert in lieu thereof the words "three thousand."

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Contingent Expenses beg leave to report by resolution :

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrant in favor of the persons hereinafter specified :

In favor of Schoenfeld Bros.....	\$140 00
In favor of J. Rosenstock.....	6 00
In favor of Fayette King.....	20 00
In favor of James Sackett.....	8 00
In favor of E. E. Scott.....	9 00
In favor of O. P. Willis.....	32 75
In favor of C. H. Maish.....	8 00
In favor of Cowing Bros.....	36 00
	<hr/>
	\$259 75

All of which is respectfully submitted.

T. J. JONES,
Chairman Committee on Claims.

Adopted.

Assembly Bill No. 223: "An Act to authorize and empower the County Commissioners of White Pine County to provide for the re-indexing of certain records of said county."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hay, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Patchen, Piper, Rogers, Roney, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—34.

NAYS—0.

Substitute for Senate Bill No. 12: "An Act providing for the taxation of the net proceeds of mines."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, McClelan, Murphy, Owen, Organ, Patchen, Piper, Rogers, Roney, Saville, Smith, Tennant, Trousdale, Willard, Mr. Speaker—34.

NAYS—Messrs. Dangberg, Ellyson, Hogan, Manning, McLeod, Savage, Simpson, Wagner—8.

Mr. Speaker:

Your Standing Committee on Military and Indian Affairs, to whom was referred Senate Bill No. 139, entitled "An Act to amend an Act entitled 'An Act to amend an Act to provide for organizing and disciplining the militia of the State of Nevada, approved March 4th, 1865,' approved March 12th, 1867," beg leave to report that they have had the same under consideration, have come to a favorable conclusion thereon, and have instructed their Chairman to report accordingly.

Respectfully, etc.,

H. H. BECK,
Chairman.

Mr. Speaker:

The Standing Committee on State Institutions herewith return Senate Bill No. 167, entitled "An Act to aid the Nevada Benevolent Association

in providing means to erect an Insane Asylum," and recommend its passage. Also, Assembly Bill No. 225, entitled "An Act for properly taking care of the indigent insane of the State of Nevada," and would recommend its passage, with amendments, which appear on the margin. Also, Senate Bill No. 102, "An Act to amend an Act amendatory of 'An Act to provide for the maintenance and supervision of public schools, approved March 20th, 1865,' and the Acts amendatory thereof, approved March 6th, 1869," and would recommend that it be referred to Committee on Education.

Respectfully, etc.,
JOHN M. GRAY,
Chairman.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 24th, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 168: "An Act to change the county seat of Humboldt County," the same having passed the Senate on the 23d inst., by the following vote: Yeas, 19; nays, 2. Also, Senate Bill No. 174, an Act to repeal an Act amendatory of and supplementary to an Act of the Legislative Assembly of the Territory of Nevada, entitled "An Act to incorporate the city of Austin, approved February 20, 1864; approved March 8th, 1865; approved February 29th, 1866, and other matters relating thereto," which passed the Senate on the 23d inst., by the following vote: Yeas, 16; nays, 2. Also, Senate Concurrent Resolution No. 163: "Relative to exchanging revenue stamps with the Central Pacific Railroad Company," which passed the Senate on the 23d inst., by the following vote: Yeas, 20; nays, 0.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

Mr. Beck in the chair.

Senate Bill No. 174, relative to the incorporation of the city of Austin.

Read the first time; rules suspended; read the second time by title, and referred to the Austin portion of the Lander delegation.

Senate Concurrent Resolution No. 163, relative to the exchanging of revenue stamps by the C. P. R. R. Co.

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Ways and Means.

Senate Bill No. 168: "An Act to change the county seat of Humboldt County."

Read the first time; rules suspended; read the second time by title, and referred to the Humboldt delegation.

Senate Bill No. 138: "An Act to provide for the incorporation of tramway companies."

Read the first time; rules suspended; read the second time by title; and referred to the Committee of the Whole.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 20, An Act requiring compensation for causing death by wrongful act, neglect or default. The Senate has this day concurred in the amendment made to the above bill by your honorable body, and has also made an amendment to the same by the addition of a proviso at the end of section two.

Respectfully, etc.,

CHAS. F. BICKNELL,
Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 23d, 1871. }

To the Honorable the Assembly ;

I have the honor to transmit for the consideration of your honorable body Senate Bill No. 138: "An Act to provide for the incorporation of tramway companies," the same having this day passed the Senate by the following vote: Yeas, 19; nays, 1.

Also, Senate Bill No. 189: "An Act supplementary to 'An Act to authorize the Commissioners of Lyon County to issue to the Virginia and Truckee Railroad Company bonds to the amount of \$75,000, and to provide for the payment of the same,' approved February 15, 1869," the same having passed the Senate this day by the following vote: Yeas, 12; nays, 9.

I also return to your honorable body Assembly Bill No. 55: "An Act in relation to the payment of school moneys by County Treasurers;" also, Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County," the above bills having this day passed the Senate.

Respectfully,

CHAS. F. BICKNELL,
Secretary of Senate.

Senate Bill No. 189: "An Act supplementary to an Act to authorize the Commissioners of Lyon County to issue to the Virginia and Truckee Railroad Company bonds to the amount of seventy-five thousand dollars, and to provide for the payment of the same."

Read the first time; rules suspended; read the second time by title, and referred to the Lyon County delegation.

Senate Bill No. 20: "An Act requiring compensation for causing death by wrongful act, neglect or default."

Senate amendments concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Wagner, Willard—35.

NAYS—0.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they

have had under consideration Assembly Substitute for Senate Bill No. 54, entitled "An Act to temporarily fix the county seat of Lincoln county," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully,

H. A. WILLARD,
Chairman.

Mr. Potter introduced Assembly Bill No. 234: "An Act in relation to the Board of Examiners, to define their duties and powers, and to impose certain duties on the Controller and Treasurer."

Read the first time: rules suspended; read the second time by title, and referred to Committee of the Whole.

Mr. Dovey introduced Assembly Bill No. 233: "An Act to provide for the encouragement of useful inventions within the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Trade and Manufactures.

By Mr. Tennant:

WHEREAS, The Clerk of the House complains that in the transmission and delivery of messages to the Senate unusual (and in the opinion of this House unpardonable, if not discourteous,) delay on the part of the Senate in receiving Assembly messages, thereby obstructing the dispatch of business required at this late day of the session; therefore,

Resolved, That the President, President *pro tem.*, or other proper presiding officer of the Senate, be requested to receive Assembly messages in the manner regulated by parliamentary law and usage.

Adopted.

On motion of Mr. Hogan, the House resolved itself into Committee of the Whole for the purpose of considering general file.

Mr. Hogan in the chair.

In time, the Committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole has had under consideration Senate Bill No. 133: "An Act to procure certain historical paintings, and make provision for paying therefor," report the same back with recommendation that it do pass. Also, Assembly Bill No. 232: An Act to amend an Act entitled "An Act relative to Attorneys and Counselors at law, approved October 31st, 1861," reported back and its passage recommended. Also, Assembly Bill No. 222: "An Act to provide for the payment of the claim of Jonathan Williams," reported back and its passage recommended. Also, Assembly Bill No. 220: An Act to amend an Act entitled "An Act to create a Board of County Commissioners and define their powers, approved February 27th, 1869," reported back with recommendation that it be passed on the file. Also, Assembly Bill No. 28: An Act to amend an Act entitled "An Act concerning crimes and punishments, approved November 26th, 1861," reported back without recommendation.

Report adopted.

At 1 o'clock p. m., on motion of Mr. Cowen, the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

By Mr. Lockwood:

Resolved, That no bills will be received or considered by this House which are not introduced previous to Tuesday, February 28.

Adopted.

By Mr. Potter:

Resolved, By the Assembly, the Senate concurring, That the Secretary of the State be and he is hereby directed to purchase one hundred copies of the Statutes of 1861, passed by the first Legislative Assembly of the Territory of Nevada, for the use of the State, at a cost of not exceeding ten dollars in coin per copy.

Mr. Speaker ruled the resolution out of order. Mr. Tennant appealed from the decision of the Chair; Chair sustained by the following vote:

YEAS—Messrs. Buckingham, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Greenhalgh, Harris, Jones, Likens, Manning, McClelan, McLeod, Murphy, Savage, Simpson, Tennant, Trousdale, Willard, Williams—22.

NAYS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Gray, Hatch, Hay, Hogan, Lawson, Owen, Patchen, Piper, Potter, Rogers, Roney, Saville—17.

Mr. Speaker:

Your special committee to whom was referred Assembly Bill No. 125, with instructions to incorporate all the amendments thereto, as passed by the Committee of the Whole, begs leave to report that he has performed the duty assigned him.

Respectfully,

JOHN WAGNER,
Committee.

Assembly Bill No. 222: "An Act to provide for the payment of the claim of Jonathan Williams."

Read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Dovey, Ellyson, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, McClelan, McLeod, Patchen, Potter, Roney, Simpson, Tennant, Trousdale—24.

NAYS—Messrs. Barber, Buckingham, Cowen, Delano, Gray, Garaghan, Harris, Likens, Manning, Murphy, Owen, Piper, Savage, Saville, Wagner, Willard, Williams, Mr. Speaker—18.

Senate Bill No. 133: "An Act to procure certain historical paintings, and make provisions for paying therefor."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Buckingham, Burlingame, Brown, Canavan, Delano, Fuller, Garaghan, Greenhalgh, Gray, Hatch, Hay, Hogan, Jones,

Lockwood, McClelan, Murphy, Owen, Patchen, Potter, Roney, Saville, Tennant, Trousdale, Mr. Speaker—24.

NAYS—Messrs. Beck, Bowman, Child, Dangberg, Dovey, Ellyson, Greenhalgh, Harris, Lawson, Likens, Manning, McLeod, Piper, Savage, Simpson, Wagner, Willard, Williams—18.

Mr. Speaker :

Your special committee, composed of the Lander County delegation, to whom was referred Senate Bill No. 174, beg leave to report the same back, and recommend that the bill be indefinitely postponed.

T. J. JONES.

D. MURPHY.

H. A. WILLARD.

S. L. FULLER.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Concurrent Resolution No. 191, relative to mail service from Pine Grove to Rockland, Nevada, and find the same to be correctly enrolled.

Respectfully,

H. A. WILLARD,

Chairman.

Assembly Bill No. 28, an Act to amend an Act entitled "An Act concerning crimes and punishments."

Read the third time, and lost by the following vote:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Fuller, Harris, Hatch, Hay, Hogan, Lawson, Organ, Patchen, Saville, Simpson, Tennant, Wagner, Willard—18.

NAYS—Messrs. Barber, Beck, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Greenhalgh, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Roney, Savage, Trousdale, Williams, Mr. Speaker—24.

Mr. Speaker gave notice that he would, on to-morrow, move to reconsider the vote by which the bill was lost.

Assembly Bill No. 232, an Act to amend an Act entitled "An Act relative to attorneys and counselors at law."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Piper, Potter, Rogers, Roney, Savage, Simpson, Wagner, Willard, Williams, Mr. Speaker—36.

NAYS—0.

Senate Bill No. 174, an Act to repeal an Act amendatory of and supplementary to an Act of the Legislative Assembly of the Territory of Nevada, entitled "An Act to incorporate the city of Austin."

Taken up on third reading, and indefinitely postponed by a unanimous vote.

Assembly Bill No. 125, an Act to amend an Act entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada."

Read the third time and passed by the following vote :

YEAS—Messrs. Beck, Bowman, Buckingham, Brown, Child, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, McClelan, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Simpson, Tennant, Trousdale, Wagner, Willard, Williams—34.

NAYS—Messrs. Manning, Savage, Mr. Speaker—3.

Substitute for Assembly Bill No. 184, an Act to amend an Act entitled “An Act to provide revenue for the support of the government of the State of Nevada.”

Considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Rogers, Savage, Simpson, Trousdale, Wagner, Willard, Williams, Mr. Speaker—35.

NAYS—0.

Assembly Bill No. 1, an Act to amend an Act entitled an Act to amend an Act entitled “An Act to create a Board of County Commissioners in the several counties of the State, and to define their duties and powers.”

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Manning, McClelan, McLeod, Murphy, Owen, Piper, Potter, Rogers, Savage, Simpson, Wagner, Willard, Williams, Mr. Speaker—31.

NAYS—0.

The following message was received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 24th, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State, Assembly substitute for Senate Bill No. 54: “An Act to change the county seat of Lincoln County.”

L. R. BRADLEY,
Governor.

Senate Bill No. 137: “An Act supplementary to and amendatory of an Act entitled ‘An Act to provide for the payment of the outstanding indebtedness of Virginia, Storey County.’”

Read, and on motion of Mr. Williams, the bill was amended by striking out section seven, by the following vote :

YEAS—Messrs. Bowman, Buckingham, Canavan, Dangberg, Dovey, Garaghan, Gray, Greenhalgh, Harris, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Potter, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Willard, Williams—24.

NAYS—Messrs. Barber, Beck, Burlingame, Brown, Child, Cowen,

Delano, Hay, Hogan, Lawson, Likens, Owen, Organ, Piper, Rogers, Roney, Wagner and Mr. Speaker—18.

Absent—Messrs. Ellyson, Fuller, Hatch and Patchen—4.

Mr. Lowery moved that the bill be indefinitely postponed.

Pending which the House took a recess until 7 o'clock, p. m.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Quorum present.

Mr. Beck in the chair.

Mr. Delano moved to take up Assembly Concurrent Resolution No. 109: Relative to mail route from Wadsworth to Fort Independence.

Read third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—37.

NAYS—0.

Absent—Messrs. Ellyson, Fuller, Garaghan, Likens, Murphy, Organ, Patchen, Smith, Willard—9.

On motion of Mr. Lockwood, the House resolved into Committee of the Whole for the purpose of considering special order.

Mr. Beck in the chair.

In time, the committee rose and reported as follows :

Mr. Speaker :

Your Committee of the Whole have had under consideration substitute for Assembly Bill No. 122: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City," report the same back with amendments, and recommend that it do pass as amended.

Report adopted.

Mr. Speaker in the chair.

On motion of Mr. Bowman, the House adjourned at 10:35 p. m.

ROBERT E. LOWERY,
Speaker.

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-FIFTH DAY.

SATURDAY, February 25th, 1871.

Assembly convened at 10:30 A. M. Speaker Lowery in the chair.

Roll called. Quorum present.

Prayer by the chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Savage asked leave of absence for the balance of the day. Granted.

Mr. Speaker :

Your Standing Committee on Agriculture, to whom was referred Senate Bill No. 132, "An Act to provide for the destruction of noxious animals within this State," beg leave to report that they have had the same under consideration, came to a favorable conclusion thereon, and directed their chairman to report the same back to the House without amendment, and recommend its passage.

Respectfully, etc.,

H. F. DANGBERG,

Chairman.

Mr. Speaker :

Your Standing Committee on Public Morals, to whom was referred Assembly Bill No. 228: "An Act to authorize the Miner's Union of Virginia City, Storey County, to give a public concert or gift entertainment," have had the same under consideration, and beg leave to report the same back to the House without recommendation.

Respectfully, etc.

W. A. TROUSDALE,

Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 227, entitled "An Act to amend an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada,' approved March 9th, 1865," have had the same under consideration, and report the same back to the House, and recommend its passage with the amendment herewith submitted.

Respectfully, etc.,

J. A. SAVAGE,

Chairman.

Mr. Speaker :

Your Standing Committee on Claims, to which was referred the petition of S. H. Marlette, report that they have had the same under consideration, and have directed their chairman to report the same back to the House without recommendation.

JOHN S. CHILD,

Chairman.

Mr. Jones introduced Assembly Concurrent Resolution:

Resolved, by the Assembly, the Senate concurring, That F. H. Harmon, District Attorney of Lander County, is hereby granted leave of absence from this State for the period of six months, at any time during his term

of office; *provided*, that said District Attorney shall have a competent deputy to discharge all the duties of said office required by law, during his absence.

Adopted.

By Mr. Barber:

Resolved, That when this House adjourns it adjourns to meet on Monday, at 10 o'clock A. M. Lost.

Mr. Ellyson introduced the following concurrent resolution:

Resolved, by the Assembly, the Senate concurring, That D. C. Butterfield, County Commissioner of Elko County, be granted leave of absence from this State for the period of three months, at any time he may select during his term of office.

Adopted.

Senate Bill No. 28: "An Act for the relief of Peter Goodfellow, County Treasurer of Lincoln County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Potter, Rogers, Roney, Saville, Simpson, Smith, Tennant, Wagner, Willard, Mr. Speaker—36.

NAYS—Mr. Piper—1.

Mr. Ellyson introduced Assembly Bill No. 242: [An Act to amend] An Act entitled "An Act to create the County of Elko, and provide for the organization thereof."

Read the first time; rules suspended; read the second time by title, and referred to the Elko delegation.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 24th, 1871. }

To the Honorable the Assembly:

I am directed to inform your honorable body that Senators Hall, Mulen and McCoy, have this day been appointed a committee of free conference on the part of the Senate, on Senate Bill No. 75: "An Act to provide for fostering and supporting the Nevada Orphan Asylum," etc.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Mr. Speaker appointed on free conference committee on the part of the Assembly, Messrs. Tennant, Garaghan and Williams.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 24th, 1871. }

To the Honorable the Assembly:

I am directed to herewith return to your honorable body Assembly Resolution of this date relative to discourtesy on the part of the Senate

toward your honorable body and its attachés, and with the same to transmit the accompanying resolution as the reply of the Senate thereto.

Very respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Resolution laid on the table.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 24th, 1871. }

To the Honorable the Assembly :

I am instructed to inform your honorable body that the Senate has this day concurred in Assembly amendment to Senate Concurrent Resolution relative to a change in the basis of representation, and Senators Hall, Mills and Brown have been appointed a committee on the part of the Senate to determine upon the same.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Mr. Speaker appointed Messrs. Bowman, Savage, Child and Jones as a committee on the part of the Assembly to confer with Senate committee relative to a change in the basis of representation.

Mr. Williams moved that the Virginia Fund Bill be made the special order for two o'clock p. m.

Agreed to.

Mr. Speaker moved to reconsider the vote by which Assembly Bill No. 28: "An Act to abolish capital punishment," was lost.

Motion to reconsider carried by the following vote:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Delano, Fuller, Harris, Hatch, Hay, Hogan, Lawson, Owen, Organ, Patchen, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—25.

NAYS—Messrs. Barber, Beck, Child, Cowen, Dangberg, Dovey, Ellyson, Garahan, Gray, Greenhalgh, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Savage, Williams—19.

The question being: Shall the bill pass? the following was the vote on the final passage of the bill:

YEAS—Messrs. Bowman, Buckingham, Burlingame, Brown, Canavan, Fuller, Harris, Hatch, Hay, Hogan, Lawson, Lockwood, Owen, Organ, Patchen, Rogers, Roney, Saville, Simpson, Smith, Tennant, Wagner, Willard, Mr. Speaker—24.

NAYS—Messrs. Barber, Beck, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Jones, Likens, Manning, McClelan, McLeod, Murphy, Savage, Trousdale, Williams—20.

Mr. Speaker :

Your Standing Committee on counties and county boundaries, to whom was referred Senate Bill No. 104: "An Act to provide for the removal of county seats," have had the same under consideration, and report the same back with a recommendation that it do not pass.

Also, Assembly Bill No. 196: "An Act to amend an Act to create the county of White Pine and provide for its organization," and report the same back without recommendation.

Also, Senate Joint Resolution No. 159, asking the State of California to cede the territory east of the summit of the Sierras to Nevada, and report the same back recommending that it pass.

M. B. GARAGHAN.
JOHN BOWMAN.
H. A. WILLARD.

Mr. Hay introduced Assembly Bill No. 243: "An Act to provide a fund for the fire department of the town of Gold Hill."

Read the first time; rules suspended; read the second time by title, and referred to the Gold Hill portion of Storey delegation.

Mr. Hay introduced Assembly Bill No. 244: "An Act to regulate the fire department of the town of Gold Hill."

Read the first time; rules suspended; read the second time by title, and referred to Gold Hill portion of Storey delegation.

Substitute for Assembly Bill No. 122: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City," the special order for two o'clock was taken up; pending the consideration of which, the House took a recess for one hour, granting to Mr. Speaker the privilege of the floor.

AFTERNOON SESSION.

Assembly convened at 1:53 P. M. Mr. Beck in the chair.

Roll called. Quorum present.

On motion of Mr. Hay, the recess was continued ten minutes.

On re-assembling, 22 members present; whereupon Mr. Smith moved a call of the House. Carried.

Roll called. Several members absent; who afterwards appeared at the Bar of the House, and were admitted to their seats.

Mr. Lowery moved that further proceedings under the call of the House be dispensed with. Adopted.

The Capitol Appropriation bill was then taken up, and discussed at length.

Mr. Cowen moved the previous question, which prevailed.

Before the question was put, Mr. Burlingame moved a call of the House. Carried.

Roll called. Absent—Messrs. Garaghan and Hatch.

Mr. Hatch soon afterward appeared; and it being ascertained that Mr. Garaghan had gone to Virginia, the call was dispensed with.

Substitute for Assembly Bill No. 122: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, money or material furnished, services rendered, and necessary expenses incurred in and about the construction and completion of the State Capitol building at Carson City."

Read the third time, and passed by the following vote:

YEAS — MESSRS. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Hatch, Hay, Jones, Lockwood, McClellan, Murphy, Organ, Patchen, Potter, Roney, Savage, Saville, Smith, Tennant, Trousdale, Wagner, Williams—32.

NAYS—Messrs. Child, Harris, Hogan, Lawson, Likens, Manning, McLeod, Owen, Piper, Rogers, Simpson, Willard, Mr. Speaker—13.
Absent—Mr. Garaghan.

Mr. Tennant gave notice that he would, on the next legislative day, move to reconsider the vote by which substitute for Assembly Bill No. 122 passed.

Mr. Lockwood moved to reconsider now.

Long discussion, and seven points of order, and attempts at adjournment followed, all of which were terminated by adjournment at 4:45 P. M.

ROBERT E. LOWERY

Speaker.

Attest :

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-SEVENTH DAY.

MONDAY, February 27th, 1871.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of Saturday read and approved.

Mr. Tennant asked leave to introduce, without previous notice, Assembly Bill No. 245: "An Act amendatory and supplementary to an Act entitled 'An Act to provide revenue for the support of the government of the State of Nevada.'"

Read the first time; rules suspended; read the second time by title, and referred to Committee on Ways and Means, with instructions to print.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 55, entitled "An Act in relation to paying of school moneys by County Treasurers," and find the same to be correctly enrolled, and have presented the same to the Governor for his approval. Also, Assembly Bill No. 102, entitled "An Act to provide for the payment of the outstanding indebtedness of White Pine County," and find it to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully, etc.,

H. A. WILLARD,

Chairman.

Mr. Trousdale, from the committee composed of the Humboldt delegation, to whom was referred Senate Bill No. 168: "An Act to change the county seat of Humboldt County," offered a minority report recommending its passage.

Messrs. Harris and Organ, from the same committee, offered a majority report, recommending that it do not pass.

Mr. Speaker :

Your Committee on Enrollment beg leave to report that they have had

under consideration Assembly Bill No. 167: "An Act to grant the right of way to Hill Beachy, O. R. Johnson, B. A. Townsend, and their associates, for a narrow gauge railroad from Reno to Virginia City," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully, etc.,

H. A. WILLARD,
Chairman.

Mr. Dovey asked leave of absence for the Lyon County delegation for one hour. Leave granted.

Mr. Lowery moved to reconsider the vote by which section seven, of Assembly Bill No. 137: Relative to the funding of the indebtedness of the city of Virginia, was stricken out."

Motion to reconsider lost.

Bill read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Wagner, Willard, Williams, Mr. Speaker—39.

NAYS—Mr. Piper—1.

Mr. Lowery asked leave to introduce a bill, without previous notice: "An Act to provide for labor performed in and about the construction of the State Capitol building."

Read the first time ; rules suspended ; read the second time by title, and referred to Committee of the Whole.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 219, entitled "An Act to amend an Act entitled 'An Act to further amend an Act to provide revenue for the support of the government of the State of Nevada,'" have had the same under consideration, beg leave to report the same back and recommend that it do not pass.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Senate Concurrent Resolution No. 163: Relative to the exchanging of revenue stamps by the Central Pacific Railroad Company, have had the same under consideration, and report it back without recommendation.

Respectfully,

J. A. SAVAGE,
Chairman.

Mr. Gray asked leave to introduce a bill, without previous notice: "An Act to provide for the outstanding indebtedness of Churchill County."

Read the first time ; rules suspended ; read the second time by title ; rules further suspended, and considered engrossed ; read the third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Brown, Cowen, Dangberg, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, McClelan, Murphy, Owen, Potter, Rogers, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speake, —30.

NAYS—0.

Mr. Speaker :

Your Standing Committee on Ways and Means, to which was referred Assembly Bill No. 161, entitled an Act supplementary to an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," have had the same under consideration, and recommend that the introducer of the bill be permitted to withdraw the same.

Respectfully, etc.,

J. A. SAVAGE,
Chairman.

Mr. Speaker :

The Standing Judiciary Committee herewith return Assembly Bill No. 106, an Act to amend an Act entitled "An Act to regulate fees and compensation for officials and other services in the State of Nevada," approved March 9th, 1865, with a substitute therefor, and recommend the passage of the substitute.

Respectfully, etc.,

THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

The undersigned member of the White Pine delegation, to whom was referred Assembly Bill No. 211: "An Act to authorize the Board of County Commissioners of White Pine County to purchase the 'Irvine toll road,'" have had the same under consideration and report back, with recommendation that it do pass.

THOS. J. TENNANT.

Mr. Speaker :

The undersigned members of the White Pine delegation, to whom was referred Assembly Bill No. 211: "An Act to authorize the Board of County Commissioners of White Pine County to purchase the 'Irvine toll road,'" have had the same under consideration and report back, with recommendation that it do not pass.

JOHN WAGNER,
WILMER BROWN,
P. P. CANAVAN,
C. H. PATCHEN.

Assembly Bill No. 131: "An Act relative to the purchase of buildings for county purposes in the several counties of this State."

Considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hay, Hogan, Jones, Lawson, Lockwood, McClelan, Owen, Patchen, Potter, Rogers, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—32.

NAYS—0.

Mr. Bowman asked leave to introduce, without previous notice, Assembly Bill No. 247: "An Act to provide for a State Board of Equalization."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

The following message received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 27th, 1871. }

To the Honorable the Assembly of Nevada:

I have this day approved and deposited with the Secretary of State, Assembly Bill No. 55: "An Act in relation to the payment of school moneys by County Treasurers;" also, Assembly Bill No. 102: "An Act to provide for the payment of the indebtedness of White Pine County;" also, Assembly Bill No. 167: "An Act to grant the right of way to Hill Beachy, O. R. Johnson, B. A. Townsend, and their associates, to build and maintain a narrow gauge railroad from Reno, Washoe County, to Virginia City, Storey County."

L. R. BRADLEY,
Governor.

The motion to reconsider the vote by which substitute for Assembly Bill No. 122, relative to the State Capitol appropriation, was, on motion, indefinitely postponed.

Mr. Tennant and Mr. Smith asked to have their names placed as voting in the negative on the final passage of the bill.

Granted.

Assembly Bill No. 249: "An Act to extend the powers of the Board of State Prison Commissioners," introduced by Mr. Greenhalgh.

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Mr. Willard introduced Assembly Bill No. 250: "An Act to provide for taxing the proceeds of mines."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole, with instructions to print.

Assembly Bill No. 251: "An Act for the relief of S. H. Marlette," introduced by Mr. Hogan.

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Assembly Bill No. 252: introduced by Mr. Owen, "An Act for the relief of W. B. Bourne,"

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

At one o'clock p. m., the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. Quorum present.

Mr. Garaghan moved that Assembly Bill No. 62: An Act entitled "An Act to re-district the State of Nevada," be taken from the table, and placed on its third reading and final passage.

Motion prevailed.

Considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Potter, Rogers, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, and Mr. Speaker—34.

NAYS—0.

Absent—Messrs. Bowman, Buckingham, Canavan, Dovey, Fuller, Gray, Hay, Likens, Murphy, Piper, Roney, Saville—12.

Mr. Greenhalgh introduced, without previous notice, Assembly Bill No. 253: "An Act to regulate fees and compensation for official and other services in the State of Nevada."

Read first time; rules suspended; read second time by title, and referred to Committee of the Whole.

Mr. Greenhalgh introduced, without previous notice, Assembly Bill No. 254: An Act to amend an Act entitled "An Act in relation to the compensation of members of the Legislature, and State officers."

Read first time; rules suspended; read second time by title; rules further suspended; considered engrossed, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Burlingame, Brown, Canavan, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Potter, Rogers, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams and Mr. Speaker—30.

NAYS—Mr. Owen—1.

Absent—Messrs. Bowman, Buckingham, Brown, Canavan, Cowen, Dovey, Fuller, Hay, Lawson, Likens, Murphy, Piper, Roney, Saville, Smith—15.

MESSAGES FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 27th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 182: "An Act for the relief of John W. Averill," the same having passed the Senate on the 25th instant by the following vote: Yeas, 19; nays, 0.

Also, Senate Bill No. 146; "An Act amendatory of and supplementary to an Act entitled 'An Act to tax foreign insurance companies doing business in this State,' approved March 5, 1869," which passed the Senate on the twenty-fifth instant, by the following vote: Yeas, 20; nays, 0.

Also, Senate Bill No. 107: "An Act to regulate the sale of drugs, medicines and poisons," which passed the Senate on the twenty-fifth instant by the following vote: Yeas, 14; nays, 5.

Also, Senate Bill No. 214: "An Act to provide better security for the custody of certain State Funds," which passed the Senate on the twenty-fifth instant, by the following vote: Yeas, 19; nays, 0.

Also, Senate Bill No. 195: "An Act amendatory of an Act to provide for the maintenance and supervision of public schools," approved March

20, 1865, as amended by Acts approved March 8, 1867, and March 6, 1869, the same having passed the Senate on the twenty-fifth instant, by the following vote: Yeas, 17; nays, 0.

Also, to return to your honorable body Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, Geo. S. Dodge, and their associates, to build and maintain a narrow gauge railroad through the counties of Elko, Lander, Nye, White Pine and Lincoln," the same having passed the Senate, with amendments, on the twenty-fifth instant, by the following vote: Yeas, 18; nays, 1.

Also, to return Assembly Concurrent Resolution No. 109: "Relating to mail service from Wadsworth, Nevada, to Fort Independence, California," the same having been concurred in by the Senate on the twenty-fifth instant, by the following vote: Yeas, 16; nays, 0.

Also, Concurrent Resolution No. 240, "Relative to granting leave of absence to F. H. Harmon, District Attorney of Lander County," in which the Senate concurred on the twenty-fifth instant, by the following vote: Yeas, 19; nays, 0.

Also, Assembly Bill No. 164: "An Act to amend an Act entitled 'An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of the said county,' approved February 4, 1869," which passed the Senate on the twenty-fifth instant by the following vote: Yeas, 22; nays, 0.

Also, Assembly Bill No. 114: 'An Act to amend an Act entitled 'An Act to amend an Act passed by the Legislative Assembly of the Territory of Nevada, entitled an Act to provide for the appointment of Notaries Public and defining their duties, approved February 9th, 1864'—approved March 12th, 1865," which failed to pass the Senate on the twenty-fifth instant, by the following vote: Yeas, 7; nays, 15.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 107: "An Act to regulate the sale of drugs, medicines and poisons."

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Senate Bill No. 182: "An Act for the relief of John W. Averill."

Read the first time; rules suspended; read the second time by title, and referred to Committee of the Whole.

Senate Bill No. 214: "An Act to provide better security for the custody of certain State Funds."

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Senate Bill No. 195: "An Act amendatory of an Act to provide for the maintenance and supervision of public schools."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on Education.

Assembly Bill No. 54: "An Act to grant the right of way to A. L. Page, I. C. Bateman, Geo. S. Dodge, and their associates, to build and maintain a narrow gauge railroad."

Amendments of the Senate concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Canavan, Child, Cowen, Dangberg, Delano, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hogan,

Jones, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Potter, Rogers, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—Mr. Ellyson—1.

Absent—Messrs. Buckingham, Burlingame, Brown, Dovey, Fuller, Hay, Lawson, Likens, Murphy, Piper, Roney, Saville—12.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 25th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 193: "An Act to amend an Act to regulate proceedings in civil cases in the Courts of Justice in this State, and to repeal all other acts in relation thereto, approved March 8th, 1869," which passed the Senate on the 24th inst., by the following vote: Yeas, 19; nays, 4.

Also, Senate Joint Memorial and Concurrent Resolution No. 198: "Relative to asking the United States Government to provide for the establishment of reduction works," which passed the Senate on the 24th inst., by the following vote: Yeas, 17; nays, 3.

Also, to return Assembly Bill No. 167: "An Act to grant Hill Beachy, and others, the right of way to build and maintain a narrow gauge railroad," which passed the Senate on the 24th inst., by the following vote: Yeas, 19; nays, 4.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 116: an Act amendatory of and supplementary to an Act entitled "An Act to tax and regulate foreign insurance companies doing business in this State."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Corporations.

Senate Joint Memorial and Concurrent Resolution No. 198: Relative to the United States Government providing for the establishment of reduction works.

Read the first time; rules suspended, and concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, McClelan, Patchen, Potter, Savage, Smith, Tennant, Trousdale, Wagner, Willard, Williams—28.

NAYS—Messrs. Garaghan, Gray, Manning, McLeod, Owen, Organ, Rogers, Simpson, Mr. Speaker—9.

Absent—Messrs. Buckingham, Burlingame, Dovey, Fuller, Likens, Murphy, Piper, Roney, Saville—9.

Mr. Gray asked leave of absence for one hour. Leave granted.

Senate Bill No. 193: an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice in this State."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 25th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 193: "An Act to define and establish the boundary line of Elko County," which this day passed the Senate, with following amendment: "the addition of section four" (for which see bill), by the following vote: Yeas, 18; nays, 3.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

Assembly Bill No. 193: "An Act to define and establish the boundary line of Elko County."

Amendments concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Organ, Potter, Rogers, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—0.

The following messages were received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 25th, 1871. }

To the Honorable the Assembly:

I am directed to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 66: "An Act to authorize a State loan, and levying a tax to provide means for the payment thereof," so far as said amendments were not receded from by the Assembly.

Also, that the same action was had upon Senate Bill No. 67: "An Act to authorize a State loan, for the purpose of paying the State proportion of the bonds outstanding under the Act approved February 6th, 1867, and to fund the floating debt, and to place the State upon a permanent cash basis."

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 25th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 206, relative to printing report of Warden of State Prison, the same having this day passed the Senate unanimously.

Respectfully,
F. BUTLER
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 27th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 79: "An Act amendatory of an Act entitled 'An Act to incorporate Treasure City in the county of Lander,' approved March 5th, 1869," which passed the Senate this day by the following vote: Yeas, 20; nays, 0.

Also, Senate Bill No. 224: An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice of this State, and to repeal all other acts in relation thereto," approved March 8th, 1869, which this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Also, Senate Concurrent Resolution "Relative to changing certain moneys from the general to the special deposit fund, in the State Treasury," which passed the Senate this day by the following vote: Yeas, 23; nays, 0.

Also, to return Assembly Substitute for Assembly Bill No. 29: An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, which passed the Senate this day by the following vote: Yeas, 20; nays, 1.

Also, Assembly Substitute for Assembly Bill No. 184: An Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865, which passed the Senate this day by the following vote: Yeas, 14; nays, 1.

Also, Assembly Bill No. 117: "An Act supplementary to an Act to repeal an Act of the Legislature of the State of Nevada, entitled 'An Act to incorporate the town of Hamilton,' approved March 6th, 1869," which this day passed the Senate by the following vote: Yeas, 20; nays, 0.

Also, to inform your honorable body, that the Senate has this day concurred in Assembly amendments to Senate Bill No. 12: "An Act providing for the taxation of the net proceeds of mines," by the following vote: Yeas, 17; nays, 6.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Concurrent Resolution relative to printing report of Warden of State Prison.

Mr. Garaghan moved to amend by inserting two hundred and forty copies in lieu of seven hundred and fifty copies. Motion to amend lost.

Mr. Lockwood moved that the resolution be laid on the table.

Agreed to.

Senate Bill No. 79: An Act amendatory of an Act entitled "An Act to incorporate Treasure City in the county of Lander."

Read the first time; rules suspended; read the second time by title, and referred to the White Pine delegation.

Senate Bill No. 224: An Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice in this State."

Read the first time; rules suspended; read the second time by title, and referred to the Judiciary Committee.

Senate Concurrent Resolution No. 227: Relative to changing certain moneys from the general to the special deposit fund, in the State Treasury.

Read the first time; rules suspended; read the second time by title; read the third time, and concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Owen, Potter, Rogers, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Williams, Mr. Speaker—32.

NAYS—0.

By Mr. Rogers :

Resolved, That the members and attachés of the Assembly have the use of all lamps in the Assembly Chamber, to use at Moore & Parker's hall this evening.

Adopted.

By Mr. Lockwood :

Resolved, That hereafter when any bill is referred to any Standing Committee, that said committee be, and they are, requested to report the same back on the following day.

Adopted.

Resolved, by the Assembly, that the Senate be requested to report to this House the names of the Committee of Conference, appointed on the part of the Senate, on Senate amendments to Assembly Bill No. 23.

Adopted.

Mr. Speaker :

Your select committee, composed of the Humboldt delegation, to whom was referred Senate Bill No. 168, have had the same under consideration, beg leave to report the same back to the House and recommend that it do not pass, for the following reasons :

That on the 6th of December, 1869, an election was held for the removal of the county seat of Humboldt county; that at said election the majority of the votes cast was against the removal of the county seat of said county; that all the property of said county is situated in Unionville, the present county seat; that such removal would necessitate the entire, or nearly the entire, sacrifice of said property, and the erection of new county buildings for the accommodation of the county officers, District Court, and the county business generally, and that the finances of said are not in a condition to warrant or make advisable such a change; that at the last general election the present county seat cast very nearly one third of the entire vote cast in said county, and pays over one fourth of all the taxes paid in said county (exclusive of the property owned by the Central Pacific railroad), and for many other reasons which your committee have not now time to present in this report.

Respectfully,

THOMAS HARRIS,
JOSEPH ORGAN.

Mr. Speaker :

The undersigned, a minority of the Humboldt delegation, to which was referred Senate Bill No. 168: "An Act to remove the county seat of Humboldt County," respectfully submit the following report :

Upon a careful examination of the subject we find that the citizens of Quin's River, Paradise Valley, Winnemucca, Gold Run, Golconda, Battle Mountain, Galena, Dun Glen, and Rye Patch, have to travel from fifty to

one hundred and fifty miles to get to the county seat of said county, by the usual and regular mode of conveyance, at great cost and inconvenience; and that while the Central Pacific Railroad runs from East to West, through said county, touching at Winnemucca, the centre of the inhabited portion of said county, and would alike accommodate the citizens on each side thereof, were the county seat located at Winnemucca, on said road, the citizens of Quin's River, Paradise Valley, Gold Run, Battle Mountain and Galena are now compelled to travel from ten to eighty miles to the railroad, from thirty to ninety miles to Mill City, where they are necessarily detained two nights—one in going and one on returning—and from Mill City to Unionville, the present county seat, twenty miles by stage, a journey which takes from four to five hours. The citizens of Golconda, Winnemucca, Raspberry and Rye Patch are located on the railroad, and are compelled to travel a greater or less distance by railroad to Mill City, and thence by stage twenty miles to the present county seat; that a large majority of the citizens of said county reside North of and along the line of said railroad, and that it works a hardship on, and is an injustice to, a large majority of the citizens and taxpayers of said county to longer retain the county seat at Unionville; that a poor man, living in the Northern or Eastern portions of said county, unable to bear the expense of a journey to Unionville, to pay a tax of a few dollars, and consequently allowing the time limited by law for him to pay to expire, is subjected to burdensome and oppressive costs for officers' mileage, and that, in many instances, where the original tax did not exceed ten dollars, the costs from Sheriff's mileage alone amount to one hundred and twenty dollars; that while every citizen and taxpayer is alike subject to jury duty, it is oppressive and unjust to the poor citizen and small taxpayer of the county to be compelled to travel to the railroad, and on the railroad, and away from the railroad, to reach the county seat, when by locating the said county seat on the railroad, at the centre of population, all would be equally accommodated; that Unionville, the present county seat, is away from the centre of territory and population in said county; that the present locality of the county seat does not accommodate any of the citizens of said county, except those of Unionville, there being no precincts South of that place except on the line of the railroad; that said county extends from North to South a distance of one hundred and forty miles, and that the county seat is at present located within twenty miles of the Southern boundary of said county, and fifty miles from Winnemucca, the geographical centre of the county; and that the entire population of Humboldt county could reach Winnemucca in less time and at less expense than at any other point in said county; that at an election held in said county on the 6th day of December, 1869, for the removal of the county seat, Winnemucca received a majority of all the votes cast, but that through informality in the returns, Quin's River precinct was thrown out by the Board of Commissioners, which left Unionville a majority of seven. I therefore recommend that the bill do pass.

W. A. TROUSDALE.

Mr. Speaker :

The majority of your special committee, to whom was referred Assembly Bill No. 226, beg leave to report the same back with an additional section, and recommend its passage.

H. H. BECK,
Chairman.

Mr. Speaker :

We, the undersigned, a portion of the select committee consisting of the Ormsby and Washoe County delegations, to whom was referred Assembly Bill No. 226, entitled "An Act to amend an Act entitled 'An Act to create counties and establish the boundaries thereof,'" which bill particularly refers to the division of Washoe County, respectfully report that they have had the same under consideration, and herewith return the same to the House with the recommendation that it be indefinitely postponed.

A. J. HATCH,	} Washoe delegation.
H. H. HOGAN,	
J. R. COWEN,	Ormsby delegation.

Assembly Bill No. 226: an Act to amend an Act entitled "An Act to create counties and establish the boundaries thereof."

Motion to indefinitely postpone the bill was lost.

Mr. Speaker called for the previous question.

Bill read the third time.

Mr. Lockwood moved a call of the House.

Roll called. Absent—Messrs. Trousdale, Owen, Hay, Saville and Fuller; who afterwards appeared at the Bar of the House, and were admitted to their seats.

Mr. Williams moved that further proceedings under the call of the House be dispensed with.

Agreed to.

At 6:15 P. M. Mr. Saville moved that the House do adjourn until 9:30

A. M. to-morrow.

Agreed to.

ROBERT. E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—FIFTY-EIGHTH DAY.

TUESDAY, February 28th, 1871.

House met pursuant to adjournment. Speaker *pro tem.* Tennant in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Savage moved to take up Senate Bill No. 168: "An Act for the relief of John W. Averill."

Rules suspended; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Child, Dangberg, Delano, Fuller, Greenhalgh, Harris, Hay, Hogan, Jones, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Potter, Savage, Simpson, Tennant, Trousdale, Wagner—27.

NAYS—Mr. Saville—1.

Senate Bill No. 80: "An Act to incorporate the town of Gold Hill."
Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Child, Cowen, Dangberg, Delano, Fuller, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, Owen, Piper, Potter, Roney, Savage, Saville, Simpson, Smith, Tennant, Wagner, Mr. Speaker—29.

NAYS—0.

Senate Bill No. 139: an Act to amend an Act entitled "An Act to amend an Act to provide for organizing and disciplining the militia of the State of Nevada."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Roney, Savage, Saville, Simpson, Smith, Trousdale—27.

NAYS—Messrs. Potter, Tennant—2.

Senate Bill No. 112: "An Act to provide for the protection of timbered lands."

Read the third time, and failed to pass by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Burlingame, Brown, Garaghan, Gray, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Piper, Potter, Saville, Simpson, Smith—21.

NAYS—Messrs. Bowman, Child, Cowen, Dangberg, Fuller, Greenhalgh, Harris, Owen, Organ, Savage, Tennant, Trousdale—12.

Mr. Tennant gave notice to reconsider the vote by which Senate Bill No. 112 was lost.

Mr. Savage offered a concurrent resolution in relation to the establishment of a weekly mail service between the towns of Elko and Tuscarora, Nevada.

Adopted.

Mr. Gray introduced Assembly Bill No. 267: "An Act to amend an Act to redistrict the State of Nevada."

Read the first time; rules suspended; read the second time by title, and referred to Judiciary Committee.

Mr. Gray introduced Assembly Bill No. 266: "An Act to provide for the care and preservation of the State Capitol and grounds."

Read the first time; rules suspended; read the second time by title, and referred to the Committee on State Institutions.

Mr. Owen introduced Assembly Bill No. 268: "An Act to provide for beautifying the State Capitol grounds."

Read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Assembly Concurrent Resolution No. 270, introduced by Mr. Gray.

Read the first time, and referred to Committee on Printing.

Mr. Speaker :

Your special committee, consisting of the Elko County delegation, to which was referred Assembly Bill No. 242, entitled an Act to amend an Act entitled "An Act to create the county of Elko and provide for the

organization thereof," have had the same under consideration, report the same back and recommend its passage.

Respectfully,
J. W. ELLYSON.
J. A. SAVAGE.

STATE OF NEVADA, EXECUTIVE DEPARTMENT,)
CARSON CITY, February 28th, 1871. }

To the Honorable the Assembly of Nevada :

I have this day approved, and deposited with the Secretary of State, Assembly Bill No. 164: "An Act to amend an Act entitled 'An Act for the purpose of placing the finances of Lyon County upon a permanent cash basis, and to provide for the payment of the outstanding indebtedness of said county,' approved February 4th, 1869."

L. R. BRADLEY,
Governor.

Mr. Speaker :

The Standing Committee on Judiciary, to which was referred Assembly Bill No. 3, entitled "An Act to regulate proceedings in criminal cases in the Courts of Justice in the State of Nevada," herewith return the same with printed substitute therefor, and would recommend its passage. Also, Senate Bill No. 55, entitled "An Act to amend an Act to regulate proceedings in criminal cases in the Courts of Justice in the Territory of Nevada," approved November 26, 1861, with amendment: In section four hundred and twenty-five, line six, insert the words "settle and," as will be seen on margin, and would recommend its passage. Also, Senate Bill No. 78, entitled "An Act amendatory of and supplementary to an Act entitled 'An Act concerning crimes and punishments,'" approved November 26, 1861, and would recommend its passage.

Respectfully,
THOS. H. WILLIAMS,
Chairman.

Senate Bill No. 167: In relation to Nevada Benevolent Association, made the special order for 1 o'clock, p. m.

On motion, the House resolved itself into Committee of the Whole for the purpose of considering Assembly Bill No. 225.

Mr. Lockwood in the chair.

In time, the committee rose and reported as follows :

Mr. Speaker :

The Committee of the Whole have had under consideration Assembly Bill No. 225: "An Act to provide for properly taking care of the indigent insane of the State of Nevada," report back, with recommendation that it do pass. Also "An Act to provide for the payment of labor performed in and about the construction of the State Capitol of the State of Nevada, at Carson City," report back, with recommendation that it be laid on the table. Also, Assembly Bill No. 247: "An Act to provide for a State Board of Equalization," report the same back with amendments, and recommend that it do pass.

Report adopted.

Mr. Speaker :

Your Committee on State Institutions, to which was referred Assembly

Bill No. 266, report that they have had the same under consideration, and recommend its passage.

J. M. GRAY,
Chairman.

Mr. Speaker:

Your Standing Committee on Public Instruction, to whom was referred Senate Bill No. 102: "An Act to amend an Act amendatory of an Act to provide for the maintenance and supervision of public schools," have had the same under consideration, and beg leave to report the same back to the House and recommend that it do not pass.

W. A. TROUSDALE,
W. C. DOVEY,
J. A. BURLINGAME,
T. J. JONES,
WILMER BROWN.

Mr. Speaker:

The Standing Committee on Judiciary herewith return Assembly Bill No. 267: "An Act to re-district the State of Nevada," without recommendation.

Respectfully,
THOS. H. WILLIAMS,
Chairman.

Mr. Speaker:

The Standing Committee on Federal Relations herewith return Senate Joint Resolution No. 154: In relation to public lands of Nevada, granted by Congress to the State of Nevada, herewith return the same and recommend its passage. They also return Assembly Joint Resolution No. 136: In regard to the annexation of Utah Territory; the majority of the committee, Mr. Savage dissenting, recommend that the resolution do not pass.

Respectfully, etc.,
THOS. H. WILLIAMS,
Chairman.

Senate Joint Resolution No. 154, relative to Public Lands, granted by Congress to the State of Nevada.

Read the third time, and concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Potter, Savage, Saville, Simpson, Tennant, Wagner, Williams, Mr. Speaker—36.

NAYS—0.

The following communication was received from J. D. Minor, State Librarian:

CARSON CITY, February 28th, 1871.

To the Speaker of the Assembly:

In compliance with the provisions of Rule Three, as established by the Board of Directors of the Nevada State Library for the government of the same, I herewith transmit a list of the books issued to and not returned by the members of your honorable body, as follows:

Assembly—12 Assembly journals and 4 Senate journals.

H. H. Beck: Statutes of 1864-5, 1866, 1867, 1869. Wilmer Brown: Statutes of 1864-5, 1866, 1867, 1869, California Statutes of 1869-70, and Constitutional Debates. John Bowman: Statutes of 1864, 1864-5, 1866, 1867, and Assembly Journal, 4th session. O. T. Barber: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journal, 4th session. J. R. Cowen: Statutes of 1864-5. John S. Child: Statutes of 1864-5, 1866, 1867, and Assembly Journal, 3d session. H. F. Dangberg: Statutes of 1864-5, 1866, 1867, 1869, General Laws of Kansas and Texas, and Senate and Assembly Journals, 4th session. W. C. Dovey: Statutes of 1864-5, 1866, 1867; Assembly Journal, 4th session. M. R. Delano: U. S. Statutes at Large, vol. 15; Nevada Statutes, 1869. S. L. Fuller: Statutes of 1864-5, 1869. M. B. Garaghan: Statutes of 1864-5, 1866, 1867, 1869; "Lacon" and Assembly Journal, 4th session. J. M. Gray: Senate and Assembly Journals, 4th session; Statutes of 1864-5, 1866, 1867, 1869. A. C. Hay: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journal, 4th session. H. H. Hogan: Statutes of 1864-5, 1867, 1869, and "Oliver Twist." A. J. Hatch: Statutes of 1864-5, 1866, 1867, 1869, and "Queens of Scotland," vols. 6 and 7. Thomas Harris: Statutes of 1869. Geo. W. Likens: Statutes of 1864-5, 1869; Assembly Journal, 4th session. R. E. Lowery: Statutes of 1864-5, 1866, 1867, 1869. A. J. Lockwood: Statutes of 1864-5, 1866, 1864, 1867, 1869, and California Digest. D. Murphy: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journal, 4th session. D. F. Manning: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journal, 4th session. J. J. McClelan: Statutes of 1864-5, 1866, 1867, 1869. Samuel Owen: Statutes of 1864-5, 1869; Assembly, Journal 4th session. Joseph Organ: Statutes 1864-5, 1866, 1867, 1869, and "British Eloquence." A. K. Potter: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journals, 1st and 2d sessions. C. H. Patchen: Statutes of 1864-5, 1866, 1867, 1869. G. W. Rogers: California Statutes of 1855 and 1856; Nevada Statutes of 1864-5, 1867, and Assembly Journal, 4th session. J. F. Roney: Statutes of 1864-5, 1866, 1867, 1869. J. A. Savage: Statutes of 1869. D. C. Simpson: Statutes of 1864-5, 1866, 1867, 1869, and Assembly Journal, 4th session. R. T. Smith: Statutes of 1867. T. J. Tennant: Statutes of 1864-5, 1866, 1869. W. A. Trousdale: Statutes of 1866. H. A. Willard: Statutes of 1869. Thomas H. Williams: Statutes of 1862, 1864, 1864-5, 1866, 1867, 1869.

I have the honor to be, etc.,

J. D. MINOR,
State Librarian:
By J. J. LINN,
Clerk in Library.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 27th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 180: "An Act to provide for the appointment of a Commissioner to prosecute to final settlement all claims of the State of Nevada against the Government of the United States, and provide for his compensation therefor," which passed the Senate this day by the following vote: Yeas, 20; nays, 0.

Also, Senate Bill No. 225: An Act entitled "An Act in relation to public highways," which passed the Senate this day by the following vote: Yeas, 18; nays, 3.

Also, to return Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," which passed the Senate with several amendments, for which please see bill and "riders," by the following vote: Yeas, 20; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 180: read the first time; rules suspended; read the second time by title, and referred to the Committee of the Whole.

Assembly Bill No. 129: "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada."

Read the third time, and amendments of the Senate concurred in by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Potter, Roney, Saville, Simpson, Tennant, Mr. Speaker—31.

NAYS—Messrs. Owen, Organ, Savage—3.

Senate Bill No. 225: An Act entitled "An Act in relation to public highways."

Read the first time; rules suspended; read the second time by title, and referred to Committee on Internal Improvements.

At 12:40, on motion, the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. Quorum present.

On motion of Mr. Bowman, the special order for 1 o'clock was passed temporarily.

Mr. Tennant moved that Assembly Bill No. 196: An Act to amend "An Act to create the county of White Pine, and provide for its organization," be made the special order for 7 o'clock to-morrow evening.

Agreed to.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 164, entitled "An Act to amend an Act entitled 'An Act for the purpose of placing the finances of Lyon County,'" and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,

Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Concurrent Resolution No. 109, also, Assembly Resolution No. 240, and find them to be correctly enrolled.

Respectfully,

H. A. WILLARD,

Chairman.

Substitute for Senate Bill No. 68: "An Act to admit to probate a certain paper purporting to be the last will and testament of Henry Sticknoth."

Read and adopted; placed upon its final passage; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Brown, Canavan, Child, Cowen, Dangberg, Delano, Fuller, Hatch, Hay, Hogan, Lawson, Manning, Owen, Organ, Patchen, Potter, Rogers, Roney, Saville, Simpson, Tennant, Wagner—24.

NAYS—Messrs. Bowman, Burlingame, Dovey, Ellyson, Greenhalgh, Harris, Jones, Likens, Lockwood, McClelan, McLeod, Murphy, Savage, Trousdale, Mr. Speaker—15.

Mr. Cowen gave notice that he would move to reconsider the vote by which the bill passed.

Assembly Bill No. 226: "An Act to amend 'An Act to create counties and establish the boundaries thereof.'"

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Burlingame, Brown, Child, Dangberg, Delano, Garaghan, Harris, Hay, Hogan, Jones, Lockwood, Manning, McClelan, Murphy, Organ, Patchen, Roney, Simpson, Smith, Tennant, Wagner and Mr. Speaker—25.

NAYS—Messrs. Bowman, Canavan, Dovey, Ellyson, Greenhalgh, Hatch, Lawson, Likens, McLeod, Owen, Potter, Savage, Trousdale—13.

Mr. Hogan gave notice that on to-morrow he would move to reconsider the vote by which the bill passed.

Senate Bill No. 167: "An Act to aid the Nevada Benevolent Association in providing means to erect an insane asylum," made the special order for Wednesday, March 1, at 7 o'clock p. m.

Leave of absence was granted to Mr. Williams on account of sickness.

Mr. Tennant moved a call of the House.

Absent—Messrs. Brown, Hogan, Piper, Saville, Willard.

On motion, further proceedings under call of the House were dispensed with.

Mr. Savage moved to suspend the rule proscribing the introduction of bills, after Monday, the 27th, in order that he might introduce the general appropriation bill.

Mr. Simpson moved the previous question.

The main question was ordered. The question being: Shall the rule referred to be suspended? A vote was taken and decided in the negative.

Failing to receive a two thirds vote, as decided by the chair, Mr. Delano appealed from the decision of the chair.

By a vote the House sustained the decision of the chair.

Mr. Lockwood, from the Judiciary Committee, to which was referred Senate Bill No. 224, report that they have had the same under consideration, have come to favorable conclusion thereon, and have directed their chairman to report the same to the House with the recommendation that the same do pass.

Mr. Speaker:

Your select committee, consisting of the Gold Hill portion of the Storey County delegation, to whom was referred Assembly Bill No. 243: "An Act entitled 'An Act to provide a fund for the Fire Department of the town

of Gold Hill," have had the same under consideration, have come to a favorable conclusion thereon, and recommend its passage, with the following amendment: In section one, strike out the words "two thousand (\$2,000)," and insert in lieu thereof the words "one thousand five hundred (\$1,500)." They have also considered Assembly Bill No. 244, entitled "An Act to regulate the Fire Department of the town of Gold Hill," consider it favorably, and recommend its passage.

(Signed:)

A. C. HAY,
Chairman.

Mr. Speaker:

Your Standing Committee on Public Printing, to whom was referred Assembly Concurrent Resolution No. 270, have had the same under consideration, and beg leave to report the resolution back to this House, with the recommendation that it do not pass.

M. R. DELANO,
Chairman.

Assembly Bill No. 125: "An Act to tax and regulate foreign insurance companies doing business in this State."

Considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—37.

NAYS—Messrs. Barber, Hogan, Owen—3.

Mr. Speaker:

I give notice that I will, on to-morrow, move to rescind the resolution by which was prohibited the introduction of bills after the 26th day of February, A. D. 1871, so far as it affects the introduction of a civil appropriation bill for the carrying on of the government of the State—and to no further extent whatsoever.

J. A. SAVAGE.

Senate Bill No. 224, an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in Courts of Justice in this State."

Read the third time and passed by the following vote:

YEAS—Messrs. Beck, Bowman, Brown, Child, Cowen, Dangberg, Delano, Fuller, Garaghan, Greenhalgh, Harris, Hay, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Owen, Organ, Roney, Savage, Simpson, Smith, Trousdale, Mr. Speaker—26.

NAYS—Messrs. Dovey, Manning, Patchen, Tennant—4.

On motion of Mr. Owen, the House took a recess until 7 o'clock P. M.

EVENING SESSION.

House met at seven P. M. Speaker *pro tem*. Tennant in the chair.

Roll called. Quorum present.

On motion of Mr. Lockwood, the House went into Committee of the

Whole for the purpose of considering special order. Speaker *pro tem.* in the chair.

In time the committee rose and reported as follows :

Mr. Speaker :

Your Committee of the Whole have had under consideration Assembly Bill No. 199: "An Act to regulate houses of prostitution," report the same back, with divers amendments, and recommend that it be considered engrossed and placed on its third reading and final passage. Also, Senate Bill No. 168: "An Act to change the county seat of Humboldt County," report the same back, with the recommendation that it do not pass.

Received and adopted.

Mr. Speaker in the chair.

Mr. Burlingame moved that Assembly Bill No. 199 be placed upon its third reading and final passage.

Agreed to.

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Burlingame, Canavan, Dangberg, Fuller, Garaghan, Gray, Harris, Hatch, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, Murphy, Organ, Roney, Saville, Simpson, Smith, Tenant, Mr. Speaker—25.

NAYS—Messrs. Bowman, Child, Delano, Ellyson, Greenhalgh, Hay, Likens, McLeod, Owen, Potter, Rogers, Savage, Trousdale, Willard—14.

Mr. Brown gave notice that, on to-morrow, he would move to reconsider the vote by which the bill, in relation to jurisdiction of Justices of the Peace, was lost.

Senate Bill No. 168: "An Act to change the county seat of Humboldt County."

Read the third time, and lost by the following vote:

YEAS—Messrs. Ellyson, Lawson, Roney, Simpson, Trousdale—5.

NAYS—Messrs. Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Jones, Likens, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Potter, Rogers, Savage, Saville, Smith, Willard, Mr. Speaker—33.

At 10:10 P. M., on motion of Mr. Cowen, the House adjourned.

ROBERT E. LOWERY,

Attest:

Speaker.

GEO. W. CASSIDY, Clerk Assembly

IN ASSEMBLY—FIFTY-NINTH DAY.

WEDNESDAY, March 1st, 1871.

House met at 10:30 A. M. Speaker Lowery in the chair.

Roll called. Absent—Messrs. Fuller, Harris, Manning, Organ, Piper, Williams.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Mr. Burlingame asked leave of absence for Mr. Williams for one day. Leave granted.

Mr. Saville asked leave of absence for Mr. Piper for one day. Leave granted.

Journal of yesterday read and approved.

Mr. Speaker :

Your Standing Committee on Engrossment beg leave to report that they have carefully read and compared Assembly Bill No. 226: "An Act to amend an Act entitled 'An Act to create counties and establish the boundaries thereof,' approved November 25th, 1861," and the same correctly engrossed.

C. H. PATCHEN,
Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 193: entitled "An Act to establish the boundary line of Elko County."

Also, Assembly Bill No. 54: entitled "An Act to grant to A. L. Page, I. C. Bateman, George S. Dodge, and their associates, the right of way for a narrow gauge railroad."

Also, Assembly Bill No. 117: entitled "An Act to repeal an Act incorporating the town of Hamilton, White Pine County."

Also, Assembly Bill No. 184: entitled "An Act to provide revenue for the State of Nevada," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully,
H. A. WILLARD,
Chairman.

Mr. Speaker :

Your Standing Committee on Corporations, to whom was referred Senate Bill No. 146: "An Act amendatory of and supplementary to an Act entitled 'An Act to tax and regulate Foreign Insurance Companies doing business in this State,' approved March 5th, 1869," have had the same under consideration, and respectfully report the said bill back to the House without recommendation.

R. T. SMITH,
Chairman.

Mr. Speaker:

Your Standing Committee on Agriculture, to whom was referred Assembly Bill No 185: entitled "An Act concerning trespasses against property," beg leave to report that they have had the same under consideration, came to a favorable conclusion, and recommend its passage.

H. F. DANGBERG,
Chairman.

Mr. Speaker:

Your Standing Committee on Internal Improvements, to whom was referred Senate Bill No. 225: An Act entitled "An Act in relation to Public Highways," beg leave to report that they have had the same under consideration, and report the same back without recommendation. Also, Assembly Bill No. 77: "An Act to provide for the manner in which all railroads traveling through, or may be hereafter constructed within, this

State, shall be assessed," and beg leave to report it back without recommendation.

Very respectfully,

D. MURPHY.

The following message received from the Governor:

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, February 28th, 1871. }

To the Honorable the Senate and Assembly:

In view of the approaching close of the session of the Legislature, I deem it my duty to call your attention to the necessity of the passage of a bill providing for the support of the civil government of the State for the seventh and eighth fiscal years, including appropriations for the maintenance of the State Prison; and, also, of a bill providing for the care of the insane of our State.

The adoption of measures so indispensable is too apparent to admit of controversy, and I earnestly urge their immediate consideration by your honorable body.

L. R. BRADLEY,
Governor.

Mr. Savage moved to reconsider the resolution which passed this House prohibiting the introduction of any bills after the twenty-seventh instant.

Resolution reconsidered by a unanimous vote.

Mr. Jones offered the following concurrent resolution:

Resolved, by the Assembly the Senate concurring, That John H. Dennis, County Clerk of Lander County, is hereby granted leave of absence from this State for the period of six months, at any time during the term of his office; *provided*, that he shall have a competent deputy to discharge the duties of said office, required by law during his absence.

Assembly Bill No. 160: "An Act to restrict gaming," taken up and made special order for this evening at seven o'clock.

Assembly Bill No. 274, introduced by Mr. Savage: "An Act making appropriations for the support of the civil government of the State of Nevada for the seventh and eighth fiscal years."

Read the first time; rules suspended; read the second time by title, and made a special order for two o'clock p. m.

Mr. Garaghan introduced Assembly Bill No. 275: An Act to amend an Act entitled An Act amendatory of and supplemental to an Act entitled "An Act to create the county of Lincoln, and provide for its organization."

Read the first time; rules suspended; read the second time by title, and made special order for seven o'clock this evening.

By Mr. Smith:

Resolved, That the Sergeant-at-Arms of the Assembly be, and is hereby authorized and directed to draw his warrants in favor of all the committee clerks of this House, from the commencement of the session up to such time as said clerks received their appointments.

Indefinitely postponed.

By Mr. Burlingame:

Resolved, That the Controller of State be, and he is hereby authorized

and required to draw his warrant on the Assembly Contingent Fund for the amount of one hundred and twenty dollars in favor of W. F. Markley, for services as Page, as per enclosed certificate.

Read, and referred to the Committee on Ways and Means.

Senate Concurrent Resolution relative to hostile Indians, and the stationing of troops at Camp McDermitt.

Adopted.

Resolved, That all claims against the Assembly for contingent expenses and pay of attachés shall be first passed upon by the Committee on Contingent Expenses before being acted upon by this House.

Adopted.

By Mr. Garaghan:

Resolved, by the Assembly the Senate concurring, That J. A. Curtis, County Assessor of Lincoln County, be and is hereby granted leave of absence from this State for the period of six months, at any time during his term of office.

Adopted by unanimous vote.

Resolved, That the Sergeant-at-Arms of the Assembly be required to pay to Chas. Lagraeves the sum of one hundred and fifty dollars from the Assembly Contingent Fund, for necessary services performed by him in the Sergeant-at-Arms office.

Read, and referred to Committee on Claims.

Mr. Tennant introduced a memorial to Congress in regard to claims against the general Government for losses sustained by Indian depredations in Lander County, in the years 1864, 1865 and 1866.

Unanimously adopted.

By Mr. Tennant:

Resolved, by the Assembly, the Senate concurring, That both Houses of the present Legislature do adjourn *sine die* at twelve o'clock midnight, on Thursday, March 2d, A. D. 1871, and that the Sergeant-at-Arms of the Assembly and Senate are requested to confer together for the purpose of regulating the respective clocks of each House on the morning of the day of adjournment, so as to have them correspond with each other in the notation or indication of time upon the final adjournment of both Houses.

Adopted.

Mr. Brown gave notice that, on to-morrow, he would move to reconsider the vote by which a resolution allowing compensation to C. C. Carson, copying clerk of the House, was lost.

Mr. Garaghan moved that the chief clerk be authorized to appoint as many assistant clerks as he deems necessary for the speedy transaction of business.

Adopted.

On motion of Mr. Savage, the House resolved itself into Committee of the Whole for the consideration of Senate Bill No. 140: "An Act to appropriate funds for the preparation and publication of the sixth and seventh volumes of the Nevada reports." Mr. Bowman in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

Your Committee of the Whole have had under consideration Senate

Bill No. 140, entitled "An Act to appropriate funds for the publication of the sixth and seventh volumes of the Nevada reports," report the same back, with the recommendation that it do pass.

Adopted.

Speaker *pro tem.* Tennant in the chair.

Mr. Speaker:

The Lyon County delegation have carefully examined and considered Senate Bill No. 189, and unanimously recommend that it do not pass.

W. C. DOVEY,
J. F. RONEY,
GEO. W. LIKENS,
Lyon County Delegation.

Senate Bill No. 140, read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Child, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, McClelan, McLeod, Organ, Patchen, Potter, Rogers, Roney, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—30.

NAYS—Messrs. Cowen, Manning, Owen—3.

By Mr. Greenhalgh:

Resolved, That the Committee on Contingent Expenses are instructed to disregard the claim or claims of all persons employed in the Senate under other names.

Adopted.

Senate Bill No. 93: an Act to repeal an Act entitled "An Act to prohibit carrying of concealed weapons."

Read the third time, and passed by the following vote:

YEAS—Messrs. Bowman, Burlingame, Cowen, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Harris, Hatch, Hay, Jones, Lockwood, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—32.

NAYS—Messrs. Barber, Beck, Brown, Canavan, Child, Dangberg, Greenhalgh, Hogan, Lawson, Likens, Manning—11.

The following message was received from the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, February 28th, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 194: "An Act to authorize the Attorney-General to appoint a deputy and fix his compensation," which passed the Senate on the 27th instant, by the following vote: Yeas, 14; nays, 8.

Also, Senate Concurrent Resolution No. 234: "Relative to printing report of committee on investigation of defalcation in State Treasury," which passed the Senate this day by the following vote: Yeas, 20; nays, 0.

I also have the honor to inform your honorable body that the Senate

has this day concurred in Assembly amendments to Senate Bill No. 137, by the following vote: Yeas, 16; nays, 4; and to Senate Bill No. 75: Yeas, 14; nays, 9.

Also, to transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 232: "Relative to instructing the Secretary of State to furnish Ex-Governor Blasdel certain copies of Statutes and Journals," the same having this day passed the Senate by the following vote: Yeas, 17; nays, 0.

Also, Senate Bill No. 129: An Act to amend an Act entitled "An Act to restrict gaming," which this day passed the Senate by the following vote: Yeas, 13; nays, 5.

Also, Senate Concurrent Resolution No. 240: "Relative to granting leave of absence to Robert Stein, Sheriff of Nye County," the same having this day passed the Senate by a unanimous vote.

I have the honor herewith to return to your honorable body Substitute for Assembly Bill No. 122: "An Act to provide for the payment of outstanding and unsatisfied claims for labor performed, material furnished, services rendered, and necessary expense incurred in and about the construction and completion of the State Capitol building at Carson City," which passed the Senate on the 28th day of February by the following vote: Yeas, 14; nays, 8.

Also, to transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 242: "Relative to printing the Act providing for the taxation of the net proceeds of mines," the same having this day passed the Senate by the following vote: Yeas, 17; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 194. Read the first time; rules suspended; read the second time by title, and referred to the Committee on Public Morals.

Senate Concurrent Resolution No. 234. Read and adopted unanimously.

Senate Concurrent Resolution No. 132. Read and adopted unanimously.

Senate Bill No. 129. Read the first time; rules suspended; read the second time by title, and referred to the Committee on Public Morals.

Senate Concurrent Resolution No. 240. Read and concurred in.

Senate Concurrent Resolution No. 242. Read and concurred in.

Substitute for Assembly Bill No. 29: An Act entitled "An Act to provide revenue for the support of the Government of the State of Nevada," returned from the Senate with amendments, which were concurred in by the House.

Senate Bill No. 106: "An Act to amend an Act entitled An Act to provide revenue for the support of the government of the State of Nevada."

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Dangberg, Delano, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Patchen, Potter, Rogers, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard—34.

NAYS—Messrs. Buckingham, Ellyson, Owen—3.

Mr. Brown moved that Senate Bill No. 166 be made the special order for seven o'clock this evening.

Agreed to.

Mr. Hay moved that Assembly Bills Nos. 243 and 244 be made the special order for seven o'clock this evening.

Agreed to.

At one o'clock P. M. the House took a recess for one hour.

AFTERNOON SESSION.

House met pursuant to adjournment. Mr. Speaker in the chair.

Roll called. Quorum present.

Mr. Speaker :

The Judiciary Committee, to whom was referred Senate Bill No. 166: An Act to amend an Act entitled "An Act concerning County Recorders," have considered the same and recommend its passage.

Respectfully, etc.

THOS. H. WILLIAMS,

Chairman.

Mr. Speaker :

The Standing Committee on Judiciary herewith return Senate Bill No. 62, entitled "An Act to reduce fees of County Clerks for naturalization of foreigners," with the recommendation that it pass.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Mr. Hatch moved to reconsider the vote by which Senate Bill No. 112, "An Act to provide for protection of timbered lands," was lost.

Motion prevailed; upon which the vote was taken upon the final passage, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Canavan, Child, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, Manning, McClelan, Murphy, Owen, Organ, Potter, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Willard, Mr. Speaker—32.

NAYS—Mr. Beck—1.

By Mr. Delano:

Resolved, That C. B. McClelan, who is engaged to paint the two pictures for the Senate and Assembly, have the use of this room after the adjournment, for the purpose of painting and completing said pictures.

Adopted.

Mr. Speaker :

Your Standing Committee on Education, to whom was referred Senate Bill No. 198: An Act amendatory of "An Act to provide for the maintenance and supervision of public schools," beg leave to report the same back without recommendation.

W. A. TROUSDALE,

Chairman.

Mr. Tennant moved that Assembly Bill No. 245 be made the special order for seven o'clock this evening.

Agreed to.

Mr. Speaker :

Your Standing Committee on Trades and Manufactures, to whom was referred Assembly Bill No. 234, relative to encouragement of useful inventions, have had the same under consideration, and beg leave to report the bill back to the House without recommendation.

M. R. DELANO,
Chairman.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly :

I am instructed to inform your honorable body that Messrs. Mullen and McCoy have this day been appointed a committee to confer with a like committee from your honorable body on Assembly Bill No. 23: "An Act to secure liens to mechanics and others."

Respectfully, etc.,

F. BUTLER,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 122: "An Act making appropriations for the support of the civil government of the State of Nevada, for the seventh and eighth fiscal years," the same having this day passed the Senate by the following vote : Yeas, 18; nays, 1.

F. BUTLER,
Assistant Secretary of Senate.

Proposed Amendment to the Constitution, introduced by Mr. Hatch, and unanimously adopted.

The House resolved itself into Committee of the Whole, for the consideration of Senate Bill No. 212.

Speaker *pro tem.* Tennant in the chair.

In time, the committee rose, and reported as follows:

Mr. Speaker :

The Committee of the Whole have had under consideration Senate Bill No. 212: "An Act making appropriation for the support of the civil government of the State of Nevada for the seventh and eighth fiscal years," report back, with recommendation that it do pass.

Report adopted.

Senate Bill No. 212: "An Act making appropriation for the support of the civil government of the State of Nevada for the seventh and eighth fiscal years."

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—41.

NAYS—0.

Senate Concurrent Resolution No. 163, relative to the exchanging of revenue stamps by the Central Pacific Railroad Company.

Read the third time, and passed unanimously.

Assembly Bill No. 55: An Act to amend an Act entitled "An Act to further amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 1st, 1866.

Rules suspended; considered engrossed; read the third time, and passed by the following vote:

YEAS—Messrs. Bowman, Buckingham, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Manning, McClelan, McLeod, Murphy, Owen, Potter, Rogers, Roney, Savage, Simpson, Tennant, Wagner, Willard, Mr. Speaker—28.

NAYS—0.

Mr. Greenhalgh asked leave to introduce a bill without previous notice, Assembly Bill No. 286.

Read the first time; rules suspended; read the second time by title; rules further suspended; considered engrossed; read third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Gray, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, McClelan, McLeod, Murphy, Owen, Potter, Rogers, Roney, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—32.

NAYS—Mr. Manning—1.

MESSAGE FROM THE SENATE.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body, Assembly Bill No. 128: "An Act to regulate and tax foreign insurance companies doing business in this State," which this day passed the Senate, with several amendments, by the following vote: Yeas, 16; nays, 4.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Amendments from the Senate to Assembly Bill No. 128, concurred in by the following vote: Yeas, 33; nays, 0.

On motion of Mr. Potter, the House resolved itself into the Committee of the Whole for the purpose of considering the general file.

In time committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Assembly Bill No. 253: an Act to amend an Act entitled "An Act to regulate fees and compensation for officers and other services in the State of Nevada," approved March 9th, 1865, report back, with recommendation that it be indefinitely postponed.

Also, Assembly Bill No. 234: "An Act in relation to the Board of Examiners to define their duties and powers, and to impose certain duties on

the Controller and Treasurer," report back, with recommendation that it do pass.

Also, petition of S. H. Marlette, No. 162, report the same back, with recommendation that it be laid temporarily on the table.

Also, Senate Bill No. 180: "An Act to provide for the appointment of a commissioner to prosecute to final settlement all claims of the State of Nevada against the Government of the United States, and provide for his compensation therefor," report the same back, with recommendation that it do pass.

Also, Assembly Bill No. 251: "An Act for the relief of S. H. Marlette," reported back, amended, with recommendation that it be laid upon the table.

Also, Assembly Bill No. 249: "An Act to extend the powers of the Board of State Prison Commissioners," reported back, amended, and recommend that it do pass.

Mr. Tennant in the chair.

Assembly Bill No. 225: "An Act to provide for properly taking care of the indigent insane of the State of Nevada," read third time, and passed by the following vote: Yeas, 34; nays, 0.

MESSAGE FROM THE GOVERNOR.

STATE OF NEVADA, EXECUTIVE DEPARTMENT, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have this day approved and deposited with the Secretary of State Assembly Bill No. 193: "An Act to define and establish the boundary line of Elko County."

Also, substitute for Assembly Bill No. 184: an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," approved March 9th, 1865.

Also, Assembly Bill No. 117: an Act supplementary to and to repeal an Act of the Legislature of the State of Nevada, entitled "An Act to incorporate the town of Hamilton," approved March 6th, 1869.

L. R. BRADLEY,
Governor.

Mr. Speaker:

The undersigned, members of the Committee on Public Morals, have had under consideration Senate Bill No. 179: an Act to amend "An Act to restrict gaming," and beg leave to report the same back, and recommend its passage.

W. A. TROUSDALE.
E. L. BUCKINGHAM.

Senate Bill No. 179: an Act to amend an Act entitled "An Act to restrict gaming."

Read the third time, and announcement of vote postponed until seven o'clock P. M.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 204: "An Act to encourage the construc-

tion of a railroad in the central portion of the State of Nevada," the same having passed the Senate this day, by the following vote: Yeas, 14; nays, 9.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Senate Bill No. 204: read the first time; rules suspended; read the second time by title, and referred to the Humboldt delegation.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 231: "An Act to authorize the survey and establish a part of the western boundary of the State of Nevada," which passed the Senate this day by the following vote: Yeas, 18; nays, 0.

Also, Senate Concurrent Resolution No. 243: "Relative to granting leave of absence to J. D. Patterson, Sheriff of White Pine County," the same having this day passed the Senate by a unanimous vote.

Also, to return Assembly Bill No. 172: "An Act granting right of way, and other privileges, to the Union Pacific Tunnel Company, in the construction of a draining tunnel in Lander Hill, Lander County, Nevada," which this day passed the Senate by the following vote: Yeas, 14; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 231; read the first time; rules suspended; read the second time by title, and made special order for 7 o'clock P. M.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body, Assembly Bill No. 82: "An Act to provide for the preservation of the manuscript laws," which has this day passed the Senate by the following vote: Yeas, 17; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of Senate.

Assembly Bill No. 234: "An Act in relation to the Board of Examiners, to define their duties and powers and to impose certain duties on the Controller and Treasurer."

Read third time and passed.

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Greenhalgh, Harris, Hatch, Hay, Hogans, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Potter, Rogers, Roney, Saville, Smith, Tennant, Trousdale, Wagner—32.

NAYS—Messrs. Savage, Simpson and Mr. Speaker—3.

Mr. Brown moved that Assembly Bill No. 150 be made special order for 7 o'clock P. M. Motion prevailed.

Also, that Assembly Bill No. 180 be made special order for 7 o'clock p. m. Agreed to.

Mr. Delano moved that Assembly Bill No. 245 be made special order for 7 o'clock p. m.

Mr. Jones moved that Senate Bill No. 225 be made special order for 7 o'clock. Motion agreed to.

On motion, the House took a recess until 7 o'clock p. m.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Roll called. Quorum present.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. Speaker :

Your Committee of Conference, to whom was referred Senate Amendments to Assembly Bill No. 23, respectfully report that, in conference with a like committee on the part of the Senate, it was agreed that the Senate recede from Senate amendment to section nine, striking out all after the words "shall be," in line thirty-seven, and before the word "and," in line forty-three; and that the Assembly concur in all other Senate amendments.

JOHN BOWMAN,
A. K. POTTER,
T. J. JONES.

Mr. Speaker :

The undersigned, the Humboldt delegation, to which was referred Senate Bill No. 204: "An Act to encourage the construction of a railroad in the central portion of the State of Nevada," respectfully report that we have had the same under consideration, and that, in our opinion, the passage of the bill would be beneficial to the interests of the people. We therefore recommend its passage.

JOSEPH ORGAN,
W. A. TROUSDALE,
THOMAS HARRIS.

Assembly Bill No. —: "An Act to amend section two hundred and twenty-three of an Act entitled 'An Act to regulate proceedings in civil cases in the Courts of Justice in this State,' " introduced by Mr. Gray.

Read first time; rules suspended, read second time by title; rules further suspended: considered engrossed; read third time and passed:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Jones, Lawson, Likens, Manning, McLeod, Murphy, Owen, Patchen, Potter, Rogers, Roney, Saville, Smith, Tenant, Willard, Mr. Speaker—33.

NAYS—Messrs. Harris and Trousdale—2.

Mr. Hogan asked leave of absence for the evening. Leave granted.

The announcement of the vote on Senate Bill 179: "An Act to restrict gaming," being in order, the roll was called, and passed:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Brown, Canavan, Delano, Ellyson, Gray, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Murphy, Owen, Organ, Patchen, Potter, Rogers, Roney, Savage, Saville, Smith, Tennant, Trousdale, Wagner, Willard, Mr. Speaker—31.

NAYS—Messrs. Child, Cowen, Dangberg, Garaghan, Greenhalgh, Lockwood, Manning, McClelan, McLeod, Simpson—10.

By Mr. Gray:

Resolved, That John I. Ginn and Wm. M. Gillespie be, and are hereby, declared to be the reporting clerks of this Assembly for this the fifth session of the Legislature of the State of Nevada, from January 2d, 1871, to March 2d, 1871. Resolution lost.

Mr. Speaker :

The Conference Committee on Substitute for Assembly Bill No. 9, recommend that the Assembly concur in Senate amendments.

THOMAS. J. TENNANT,
A. J. LOCKWOOD,
Assembly Committee.
J. C. HAZLETT,
M. S. BONNIFIELD,
W. N. HALL,
Senate Committee.

Report adopted.

SPECIAL ORDERS.

Senate Bill No. 167: "An Act to aid the Nevada Benevolent Association in procuring means to erect an insane asylum.

Read the third time, and roll called; and, on motion of Mr. Tennant, announcement of the vote was postponed until 11 o'clock to-morrow.

Assembly Bill No. 196: "An Act to amend 'An Act to create the county of White Pine, and provide for its organization,'" made special order for 11 o'clock to-morrow.

Assembly Bill No. 160: "An Act to restrict gaming," indefinitely postponed.

Senate Bill No. 166: "An Act to amend an Act entitled 'An Act concerning County Recorders, and defining their duties.'"

Read the third time, and passed.

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Potter, Rogers, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard,—37.

NAYS—0.

Senate Bill No. 189: An Act supplementary to "An Act to authorize the County Commissioners of Lyon County to issue to the Virginia and Truckee Railroad Company bonds to the amount of seventy-five thousand dollars, and to provide for the payment of the same."

Read the third time and amended, roll called, and lost :

YEAS—Messrs. Beck, Buckingham, Gray, Hay, Lawson, Murphy, Owen, Smith, Wagner—9.

NAYS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Harris, Hatch, Hogan, Jones, Likens, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Potter, Rogers, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Willard and Mr. Speaker—35.

Mr. Speaker in the chair.

Assembly Bill No. 275: An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled An Act to create the county of Lincoln and provide for its organization."

Read the third time, and passed.

YEAS—Messrs. Barber, Bowman, Buckingham, Brown, Canavan, Child, Cowen, Delano, Dovey, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hatch, Jones, Lawson, Lockwood, Manning, McLeod, Owen, Organ, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Trousdale, Wagner, Willard, Mr. Speaker—33.

NAYS—0.

Senate Bill No. 195: "An Act to provide for the maintenance and supervision of public schools."

Reading commenced, and, on motion of Mr. Brown, further reading dispensed with until to-morrow morning.

On motion of Mr. Harris, Senate Bill No. 204 was made the special order for 11 o'clock to-morrow.

Senate Bill No. 180: "An Act to provide for Commissioner."

Read the third time, and passed.

YEAS—Messrs. Beck, Bowman, Brown, Child, Cowen, Dangberg, Ellyson, Garaghan, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McLeod, Murphy, Owen, Organ, Potter, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard and Mr. Speaker—31.

NAYS—0.

Assembly Bill No. 243: "An Act to provide for a fund for the Fire Department of Gold Hill."

Rules suspended; considered engrossed; read third time and passed.

YEAS—Messrs. Beck, Bowman, Brown, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Garaghan, Greenhalgh, Hatch, Hay, Hogan, Jones, Lawson, Likens, Lockwood, McLeod, Murphy, Owen, Organ, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard and Mr. Speaker—34.

NAYS—0.

Assembly Bill No. 244: "An Act to regulate the Fire Department of the town of Gold Hill."

Rules suspended; considered engrossed; read third time and passed.

YEAS—Messrs. Beck, Bowman, Brown, Child, Cowen, Dangberg, Ellyson, Garaghan, Gray, Greenhalgh, Hatch, Hay, Jones, Lawson, Likens, Lockwood, McLeod, Murphy, Owen, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard and Mr. Speaker—32.

NAYS—0.

By Mr. Lockwood :

Resolved, That hereafter no member shall be absent from the House except on leave, and the Speaker may at any time, without a call, direct the Sergeant-at-Arms to bring in any member who may be absent, and such member shall pay to the Sergeant-at-Arms the sum of one dollar for such arrest.

Adopted.

At 11:30 P. M., on motion of Mr. Savage, the House adjourned until 9:30 A. M., to-morrow.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

IN ASSEMBLY—SIXTIETH DAY.

THURSDAY, March 2d, 1871.

House met at 9:30 A. M. Speaker Lowery in the chair.

Roll called. Quorum present.

Prayer by the Chaplain, the Rev. J. D. Hammond.

Journal of yesterday read and approved.

Mr. Lockwood asked leave of absence for the Committee on Contingent Expenses for one half hour. Leave granted.

Mr. Lockwood asked that the report of the Committee on Contingent Expenses be excused for the present.

Mr. Speaker:

Your standing committee, to whom was referred Senate Bill No. 194: "An Act to authorize the Attorney-General to appoint a deputy and fix his compensation," have had the same under consideration, and beg leave to report the same back to the House, and recommend its passage.

W. A. TROUSDALE,
Chairman.

Mr. Speaker :

The Standing Committee on Judiciary, to which was referred Assembly Resolution No. 202, relative to the diversion of the waters of Lake Tahoe, beg to report that they have ascertained from inquiry that a company has been formed in the State of California for the purpose of diverting the waters of Lake Bigler through the Sierra Nevada Mountains into the valleys of that State, which they presume to be the same diversion referred to in the resolution under consideration.

The committee have further to say that in their opinion the threatened diversion would be unlawful, and can be restrained upon the application of any riparian proprietor on the Truckee River, who would be materially injured thereby.

They therefore have to suggest that, in their opinion, no legislation is necessary on the subject.

Respectfully, etc.,
THOS. H. WILLIAMS,
Chairman.

Mr. Speaker :

The Standing Committee on Judiciary herewith return Senate Bill No. 175: "An Act to provide for the codification of the Revenue Laws of this State," and recommend its passage.

Also, Senate Bill No. 193: an Act to amend an Act entitled "An Act to regulate proceedings in civil cases in the Courts of Justice of this State, and to repeal all other Acts in relation thereto," approved March 8th, 1869, and recommend that it pass.

Also, Senate Bill No. 119: an Act to amend an Act entitled "An Act concerning District Attorneys," approved March 11th, 1865, with amendments: At the end of section three insert the following: "except as to the salary of the District Attorney of White Pine County, in respect to which it shall take effect on the first day of January, A. D. 1873," recommend that it pass as amended.

Also, Senate Bill No. 130: "An Act in relation to recordation and satisfaction of certain papers and copies of process," and would recommend that it do not pass.

Also, Assembly Bill No. 198: "An Act to provide for the compilation of the general laws of the State of Nevada," and recommend that it do not pass.

Also, Assembly Bill No. 195: "An Act to provide for the compilation of the statutes of the late Territory of Nevada and of the State of Nevada," and recommend that it do not pass.

Also, Assembly Bill No. 127: an Act to amend an Act entitled "An Act to regulate fees and compensation for official and other services in the State of Nevada," approved March 9th, 1865, and recommend that it do not pass.

Also, Assembly Bill No. 170: an Act to amend "An Act in relation to the salary of Governor and Lieutenant-Governor," approved March 3d, 1866, and recommend it do not pass.

Respectfully, etc.,

THOS. H. WILLIAMS,

Chairman.

Resolved, That the Speaker of the Assembly be, and he is hereby, authorized, in conjunction with the clerk, to examine and approve the journals of the House for this day.

Adopted.

Resolved, That no deduction be made from the pay of Hon. W. A. Trousdale on account of absence from this House during the present session; and that he be released from any censure heretofore attached to him on account of such absence.

Adopted.

Senate Bill No. 194: "An Act to authorize the Attorney-General to appoint a deputy and fix his compensation."

Read the third time, and lost by the following vote :

YEAS—Messrs. Buckingham, Brown, Delano, Gray, Greenhalgh, Harris, Lawson, Organ, Roney, Smith, Trousdale, Williams, Mr. Speaker—13.

NAYS—Messrs. Bowman, Canavan, Child, Cowen, Dangberg, Dovey, Ellyson, Hatch, Hay, Likens, Manning, McClelan, McLeod, Owen, Patchen, Piper, Potter, Rogers, Savage, Saville, Simpson, Wagner, Willard—23.

Senate Joint Resolution No. 159, asking the State of California to cede the territory east of the summit of the Sierra Nevada mountains.

Read the third time, and passed by the following vote :

YEAS—Messrs. Bowman, Buckingham, Brown, Canavan, Child, Cowen, Dangberg, Delano, Ellyson, Garaghan, Gray, Greenhalgh, Harris, Hay, Hogan, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Organ, Patchen, Rogers, Roney, Saville, Simpson, Tennant, Trousdale, Willard, Williams, Mr. Speaker—33.

NAYS—Messrs. Hatch, Owen, Piper, Potter—4.

Assembly Bill No. 249: "An Act to extend the powers of the Board of State Prison Commissioners."

Read the third time, and passed by the following vote:

YEAS—Messrs. Bowman, Brown, Canavan, Child, Dangberg, Ellyson, Fuller, Garaghan, Greenhalgh, Hatch, Hay, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Owen, Organ, Patchen, Piper, Potter, Rogers, Roney, Saville, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—33.

NAYS—Messrs. Gray, Harris, Hogan—3.

The following messages were received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 248: "An Act to provide for the payment of the outstanding indebtedness of Churchill County," the same having this day passed the Senate with amendments (for which see bill), by the following vote: Yeas, 19; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 246: "An Act to encourage the construction of a railroad in the central portion of Nevada," the same this day passed the Senate by the following vote: Yeas, 15; nays, 6.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill 188: "An Act for the relief of E. B. Hancock," the same having passed the Senate this day by the following vote: Yeas, 18; nays, 5.

Also, to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 42: "An Act to prevent the destruction of fish in the waters of Nevada."

Also, in Assembly amendments to Senate Bill No. 80: "An Act to incorporate the town of Gold Hill."

Also, in Assembly amendments to Senate Bill No. 140: "An Act to appropriate funds for the preparation and publication of the sixth and seventh volumes of the Nevada Reports."

Also, to return to your honorable body Assembly Bill No. 199: "An Act to regulate houses of prostitution," which was this day indefinitely postponed by the Senate.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 1st, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 247: "An Act making appropriations for deficiencies in the fifth and sixth fiscal years," which this day passed the Senate by the following vote: Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of Senate.

Mr. Willard moved that Senate Bill No. 246 be taken up.

Rules suspended; placed on its third reading, and final passage.

The motion to suspend the rules was lost by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Cowen, Dangberg, Dovey, Ellyson, Fuller, Garaghan, Greenbalgh, Hay, Jones, Lawson, McClelan, McLeod, Murphy, Owen, Organ, Piper, Roney, Tennant, Trousdale, Willard, Williams, Mr. Speaker—25.

NAYS—Messrs. Brown, Canavan, Child, Delano, Gray, Harris, Hogan, Manning, Patchen, Potter, Rogers, Savage, Saville, Simpson, Wagner—15.

Mr. Speaker:

Your Standing Committee on Contingent Expenses, herewith beg leave to report that we have had the following claims and accounts before us, and after careful inspection have rejected the same, to wit:

Thomas Gilmartin, extra services as watchman.....	\$60 00
John Petrie, extra services as doorkeeper.....	60 00
G. Martin, extra services as watchman	60 00
C. P. Stevens, for water.....	10 00
Thomas Audrain, cutting wood	35 00

All of which is respectfully submitted.

T. J. JONES, Chairman.
H. H. BECK.
O. T. BARBER.

Mr. Speaker:

Your Standing Committee on Contingent Expenses beg leave to report by resolution:

Resolved, That the Sergeant-at-Arms be, and he is hereby, directed to draw his warrants in favor of the persons hereinafter mentioned:

To G. W. Cassidy, as per voucher			\$5 00
To E. B. Rail	do.	do.	158 75
To Jacob Tobriner	do.	do.	6 50
To John G. Fox	do.	do.	2 25
To Adolphus Waitz	do.	do.	120 00
To J. C. Snyles	do.	do.	12 50
To M. M. Gaige	do.	do.	150 00
To John Driesbach	do.	do.	23 50
To John G. Fox	do.	do.	31 00
To John G. Fox	do.	do.	18 25
To John G. Fox	do.	do.	473 50
To C. C. Carson	do.	do.	441 00
To F. M. Proctor	do.	do.	234 00
To M. D. Jenkins	do.	do.	7 00
To E. D. Sweeney	do.	do.	60 00
To Charles Legraves	do.	do.	150 00
To Thomas J. Tennant	do.	do.	88 00
To J. T. Goodman	do.	do.	75 00

All of which is respectfully submitted.

T. J. JONES, Chairman.
H. H. BECK.
O. T. BARBER.

Adopted.

Senate Bill No. 195: An Act amendatory of "An Act to provide for the maintenance and supervision of public schools," approved March 20th, 1865.

Read the third time.

Roll called.

Mr. Brown moved that the announcement of the vote on Senate Bill No. 195 be postponed until five o'clock this evening.

Agreed to.

Mr. Bowman moved that Assembly Bill No. 189, relative to attorneys and counselors at law, approved October 31st, 1861, be indefinitely postponed.

Agreed to.

The following message received from the Honorable the Senate:

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Bill No. 28: An Act to amend an Act entitled "An Act concerning crimes and punishments," approved November 26, 1861," which failed to pass the Senate on the first day of March by the following vote: Yeas, 6; nays, 15.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

Mr. Owen moved that the resolution relative to the call of members be enforced.

Agreed to.

On motion of Mr. Wagner, the House resolved itself into Committee of

the Whole, for the purpose of considering two certain appropriation bills.
Mr. Beck in the chair.

In time, committee rose, and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Senate Bill No. 231: "An Act to authorize the survey and establish the western boundary of the State," report the same back, with recommendation that it do pass.

Senate Bill No. 188: "An Act for the relief of E. B. Hancock;" report the same back, with recommendation that it do pass.

Report adopted.

Assembly Bill No. 231: "An Act to authorize the survey and establish the western boundary of the State."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Greenhalgh, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, Murphy, Owen, Organ, Potter, Rogers, Roney, Smith, Mr. Speaker—28.

NAYS—Messrs. Child, Gray, Harris, Manning, McClelan, McLeod, Piper, Wagner, Williams—12.

Senate Bill No. 188: "Act Act for the relief of E. B. Hancock."

Read third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Greenhalgh, Harris, Hatch, Hogan, Jones, Lawson, Likens, Lockwood, McLeod, Owen, Organ, Piper, Potter, Rogers, Saville, Smith, Williams, Mr. Speaker—27.

NAYS—Messrs. Dovey, Ellyson, Fuller, Gray, Manning, McClelan, Roney, Savage, Simpson—9.

The following messages were received from the Honorable the Senate :

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body, Assembly Bill No. 225: "An Act to provide for the indigent insane of the State of Nevada," the same having this day passed the Senate by the following vote : Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor to herewith transmit for the consideration of your honorable body, Senate Concurrent Resolution No. 251: "Relative to the Committee on Defalcation in State Treasury, correcting their report," which passed the Senate this day by the following vote: Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 251: Relative to the Committee on Defalcation in State Treasury, correcting their report, unanimously concurred in.

On motion of Mr. Piper, the House took a recess for one hour, at 12:45.

AFTERNOON SESSION.

House met at 2 o'clock p. m.

Speaker *pro tem.* Tennant in the chair.

Roll called. Quorum present.

By Mr. Owen :

Resolved, That the chief clerk of the Assembly be allowed ten days additional compensation after the adjournment of the Legislature, for finishing up the business of his office, as provided by law, payable out of the contingent fund of the Assembly.

Unanimously adopted.

Senate Bill No. 204: "An Act to encourage the construction of a railroad in the central portion of the State of Nevada."

Read third time, and passed by the following vote :

YEAS—Messrs. Barber, Beck, Bowman, Brown, Canavan, Delano, Fuller, Gray, Greenhalgh, Harris, Hatch, Hay, Hogan, Jones, Lawson, Murphy, Owen, Organ, Patchen, Piper, Roney, Savage, Smith, Tennant, Willard, Williams—26.

NAYS—Messrs. Burlingame, Child, Cowen, Dangberg, Ellyson, Garaghan, Likens, Lockwood, Manning, McClelan, McLeod, Potter, Rogers, Saville, Simpson, Trousdale—16.

On motion of Mr. Jones, Senate Bill No. 246, rules be suspended, was lost by the following vote :

YEAS—Messrs. Beck, Cowen, Dangberg, Fuller, Garaghan, Gray, Greenhalgh, Hay, Jones, McLeod, Murphy, Organ, Roney, Savage, Simpson, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—21.

NAYS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Delano, Dovey, Ellyson, Harris, Hatch, Lawson, Likens, Lockwood, Manning, McClelan, Owen, Patchen, Piper, Potter, Rogers, Saville, Smith—23.

Assembly Bill No. —: An Act to repeal section thirteen of the Act entitled "An Act to provide for the registration of the names of the electors and to prevent fraud at election," approved March 5th, 1869.

Introduced by Mr. Williams; read the first time; rules suspended; read the second time by title; rules further suspended; considered engrossed; read the third time, and passed by the following vote :

YEAS—Messrs. Beck, Bowman, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Jones, Manning, McClelan, McLeod, Murphy, Organ, Patchen, Savage, Simpson, Smith, Tennant, Trousdale, Wagner, Willard, Williams, Mr. Speaker—30.

NAYS—Messrs. Barber, Hatch, Hay, Owen, Piper, Potter, Rogers, Roney, Saville—9.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration the following Assembly bills, and find them to be correctly enrolled, and have this day presented the same to the Governor for his approval:

Assembly Bill No. 172, entitled "An Act granting the right of way and other privileges to the Union Pacific Tunnel Company."

Also, a bill entitled "An Act to tax and regulate foreign insurance companies."

Also, Assembly Bill No. 122, entitled "An Act to provide for the payment of labor and money expended on the completion of the State Capitol."

Also, Assembly Bill No. 82, entitled "An Act to provide for the preservation of the manuscript laws."

Also, Assembly Bill No. 29, entitled an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada."

Also, Assembly Bill No. 9, entitled an Act to amend an Act entitled "An Act prescribing rules and regulations for the execution arising under an Act of Congress."

Respectfully, etc.,
H. A. WILLARD,
Chairman.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 129, entitled "An Act to provide for the selection and sale of lands granted by the United States to the State of Nevada," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully, etc.,
H. A. WILLARD,
Chairman.

Resolved, That the clerk of this House be directed to respectfully request the Senate to return to this House Senate Bill No. 194.

Ruled out of order.

On motion, at 3:30 p. m., the House took a recess for one hour.

SECOND EVENING SESSION.

Assembly met pursuant to adjournment. Speaker *pro tem.* in the chair.

Roll called. No quorum present.

On motion, the House took a recess until 7:30 p. m.

NIGHT SESSION.

House met pursuant to adjournment. Speaker Lowery in the chair.

Roll called. Quorum present.

Mr. Saville moved a call of the House.

Roll called. Absent—Messrs. Buckingham, Burlingame, Hogan, Harris and Williams.

On motion, Mr. Williams was excused on account of sickness.

Mr. Garaghan moved that further proceedings under call of the House be dispensed with.

Agreed to.

Mr. Tennant moved the announcement of the vote on Senate Bill No. 4—: "An Act to aid the Nevada Benevolent Association."

Vote announced as follows:

YEAS—Messrs. Barber, Beck, Bowman, Buckingham, Burlingame, Brown, Canavan, Cowen, Fuller, Gray, Harris, Hatch, Hogan, Lawson, Lockwood, McLeod, Murphy, Owen, Patchen, Roney, Simpson, Smith, Tennant, Wagner, Mr. Speaker—25.

NAYS—Messrs. Child, Dangberg, Dovey, Ellyson, Garaghan, Greenhalgh, Hay, Jones, Likens, Manning, McClelan, Organ, Potter, Rogers, Savage, Saville, Trousdale, Willard—18.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body, Senate Bill No. 187: An Act to repeal "An Act supplementary to an Act entitled 'An Act to provide for the support of the government of the State of Nevada, approved March 9th, 1865,' and other Acts amendatory and supplementary thereof," approved March 12th, 1867, which this day passed the Senate by the following vote: Yeas, 15; nays, 1.

Respectfully,
FRANK BUTLER,
Assistant Secretary Senate.

Senate Bill No. 187, as per message.

Read the first time; rules suspended; read the second time by title; rules further suspended; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Garaghan, Gray, Greenhalgh, Harris, Hatch, Hay, Jones, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Piper, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Mr. Speaker—34.

NAYS—Messrs. Beck, Hogan, Owen, Organ, Potter, Rogers, Saville, Wagner, Willard—9.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 273: "Relative to granting leave of absence to Mr. Dennis, Clerk of Lander County," the same having this day passed the Senate by the following vote: Yeas, 21; nays 0.

Respectfully,
F. BUTLER,
Assistant Secretary.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly Bill No. 23: "An Act to secure liens to mechanics and others, and to repeal all other Acts in relation thereto," and to inform your honorable body that the Senate has this day refused to recede from its amendments thereto, by the following vote: Yeas, 11; nays, 11.

Respectfully,

F. BUTLER,
Assistant Secretary of the Senate.

Mr. Bowman moved that the House concur in Senate amendments, [House concurred] by the following vote:

YEAS—Messrs. Barber, Beck, Bowman, Burlingame, Brown, Canavan, Delano, Dovey, Fuller, Gray, Greenhalgh, Hay, Hogan, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Organ, Piper, Potter, Rogers, Roney, Simpson, Smith, Trousdale, Wagner, Willard, Mr. Speaker—32.

NAYS—Messrs. Child, Cowen, Dangberg, Ellyson, Harris, Savage, Saville—7.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 248: "Relative to directing the Controllor of State to draw his warrant in favor of the Nevada Orphan Asylum," which passed the Senate this day by the following vote: Yeas, 21; nays, 2.

Respectfully,

F. BUTLER,
Assistant Secretary of Senate.

Senate Concurrent Resolution No. 248 taken up, and the House refused to concur by the following vote:

YEAS—Messrs. Brown, Canavan, Hay, Hogan, Lawson, Owen, Organ, Piper, Rogers, Smith, Mr. Speaker—11.

NAYS—Messrs. Barber, Beck, Bowman, Burlingame, Child, Cowen, Dangberg, Delano, Dovey, Ellyson, Fuller, Gray, Greenhalgh, Harris, Hatch, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Patchen, Potter, Roney, Savage, Saville, Simpson, Tennant, Trousdale, Wagner, Willard—31.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor to return to your honorable body Assembly Bill No. 125: An Act to amend an Act entitled "An Act to provide for constructing and maintaining toll roads and bridges in the State of Nevada," approved March 8th, 1861, the same having been this day indefinitely postponed by the Senate.

Respectfully,

FRANK BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly Bill No. 201: "An Act providing for the better enforcement of the revenue laws of the State," which this day passed the Senate by the following vote: Yeas, 15; nays, 7.

Respectfully,
FRANK BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body Assembly Bill No. 296: An Act to repeal section thirteen of the Act entitled "An Act to provide for the registration of the names of electors and to prevent frauds at elections," approved March 5, 1869.

Respectfully,
FRANK BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor to return herewith to your honorable body Assembly Bill No. 275: An Act to amend an Act entitled "An Act amendatory of and supplementary to an Act entitled 'An Act to create the county of Lincoln and provide for its organization, approved February 26, 1866,' approved March 18, 1867"; the same having passed the Senate this day by the following vote: Yeas, 13; nays, 10.

Respectfully,
FRANK BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor to return to your honorable body Assembly Bill No. 131: An Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10, 1865, the same having this day passed the Senate by the following vote: Yeas, 21; nays, 0.

Respectfully,
FRANK BUTLER,
Assistant Secretary of the Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 253: "An Act to transfer certain moneys

from the Legislative to the Senate Contingent Fund," the same having this day passed the Senate by the following vote: Yeas, 19; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Bill No. 253: "An Act to transfer certain moneys from the Legislative to the Senate Contingent Fund."

Read first time: rules suspended; read second time by title; referred to select committee of one to amend; reported back correctly amended; rules further suspended; read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Burlingame, Brown, Canavan, Child, Dangberg, Delano, Dovey, Fuller, Gray, Greenhalgh, Harris, Hay, Hogan, Lawson, Likens, Lockwood, Manning, McClelan, McLeod, Murphy, Owen, Organ, Patchen, Piper, Potter, Roney, Savage, Simpson, Smith, Tennant, Trousdale, Mr. Speaker—35.

NAYS—Messrs. Cowen, Ellyson, Saville—3.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your Honorable body Concurrent Resolution No. 255, "Relative to compensation of the Secretary of State, for enrolling the laws of the fifth session of the Legislature of the State of Nevada," the same having this day passed the Senate by the following vote: Yeas, 23; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

Senate Concurrent Resolution No. 255, as per message, concurred in by the following vote:

YEAS—Messrs. Beck, Bowman, Burlingame, Brown, Canavan, Child, Cowen, Dangberg, Delano, Dovey, Fuller, Gray, Greenhalgh, Hatch, Hay, Jones, Lawson, Likens, Lockwood, McLeod, Murphy, Owen, Organ, Potter, Rogers, Roney, Smith, Tennant, Trousdale, Wagner, Mr. Speaker—31.

NAYS—Messrs. Ellyson, Hogan, Manning, McClelan, Savage, Saville—6.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to transmit for the consideration of your honorable body Senate Concurrent Resolution No. 256, relative to appointing a joint committee to wait upon his Excellency the Governor," the same having this day passed the Senate by the following vote: Yeas, 21; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary of the Senate.

The Speaker appointed on the part of the House Messrs. Bowman and Cowen.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to transmit for the consideration of your honorable body Senate Bill No. 257, "An Act for the relief of Matt. Rinckle," the same having this day passed the Senate by the following vote: Yeas, 12; nays, 10.

Respectfully,
F. BUTLER,
Assistant Secretary of the Senate.

Senate Bill No. 257, as per message, read first time; rules suspended; read second time by title, and referred to Committee on Ways and Means.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body, Assembly Bill No. 232: an Act to amend an Act entitled "An Act relating to Attorneys and Counselors at Law," approved October 31st, 1861, the same having passed the Senate this day, by the following vote: Yeas, 18; nays, 2.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body, Assembly substitute for Senate Bill No. 68: "An Act to admit to probate a certain paper purporting to be the last will and testament of Henry Sticknoth," the same having this day passed the Senate, by the following vote; Yeas, 21; nays, 0.

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate has this day concurred in Assembly amendments to Senate Bill No. 112: "An Act to provide for the protection of timbered lands."

Respectfully,
F. BUTLER,
Assistant Secretary of Senate.

On motion, the House resolved itself into Committee of the Whole for the purpose of considering Senate Bill No. 247.

Mr. Lockwood in the chair.

In time committee rose and reported as follows:

Mr. Speaker:

The Committee of the Whole have had under consideration Senate Bill No. 247: "An Act making appropriation for deficiencies for the fifth and sixth fiscal years," reported back, with recommendation that it be placed upon its third reading and final passage.

Report adopted.

Senate Bill No. 247, read the third time and passed by the following vote:

YEAS—Messrs. Barber, Bowman, Buckingham, Burlingame, Brown, Cowen, Dovey, Ellyson, Fuller, Greenhalgh, Hatch, Hay, Jones, Likens, Lockwood, Murphy, Organ, Patchen, Potter, Rogers, Roney, Savage, Smith, Trousdale, Wagner—25.

NAYS—Messrs. Beck, Canavan, Child, Dangberg, Delano, Gray, Harris, Hogan, Lawson, Manning, McClelan, McLeod, Owen, Saville, Simpson, Tennant, Mr. Speaker—17.

Senate Bill No. 138: "An Act to provide for the incorporation of tramway companies."

Read the third time, and passed by the following vote:

YEAS—Messrs. Beck, Buckingham, Burlingame, Brown, Canavan, Child, Dangberg, Ellyson, Gray, Hatch, Hay, Hogan, Manning, McClelan, Patchen, Potter, Rogers, Roney, Saville, Smith, Tennant, Trousdale, Wagner, Williams—24.

NAYS—Messrs. Barber, Bowman, Cowen, Fuller, Harris, Lawson, Likens, Savage, Simpson—9.

Senate Bill No. 161: "An Act to authorize the payment of certain claims against Storey County."

Read the third time, and passed by the following vote:

YEAS—Messrs. Barber, Beck, Buckingham, Burlingame, Brown, Child, Cowen, Dangberg, Delano, Ellyson, Fuller, Harris, Hatch, Hay, Hogan, Jones, Lawson, Likens, Manning, McClelan, McLeod, Murphy, Owen, Patchen, Piper, Potter, Rogers, Roney, Savage, Saville, Simpson, Smith, Tennant, Trousdale—34.

NAYS—Messrs. Bowman, Dovey, Gray, Wagner, Mr. Speaker—5.

By Mr. Tennant:

Resolved, That the journal clerk of the Assembly be allowed ten days additional compensation after the adjournment of the Legislature, for writing up and completing the Journal, payable out of the contingent fund of the Assembly.

Adopted.

By Mr. Lockwood:

Resolved, That the Sergeants-at-Arms each be allowed five days pay for posting up books, and taking an inventory of the property belonging to the State in and about this chamber, and turning the same over to the proper authorities.

The Controller is hereby authorized and required to draw his warrant on the contingent fund of the Assembly, for the sum of fifty dollars in

favor of David Weaver, and for forty dollars in favor of H. P. Burnham.
Adopted.

By Mr. Tennant:

Resolved, That John I. Ginn be, and he is, hereby declared to be the reporting clerk of the Assembly of the fifth session of the Nevada Legislature, from January 2d, 1871, to March 2d, 1871, inclusive.

Indefinitely postponed.

Mr. Speaker:

Your committee appointed to wait upon His Excellency the Governor, respectfully report that they have discharged the duty for which they were appointed, and that His Excellency the Governor instructed them to report to this honorable body that he has no further communications to make in relation to the business of the present session.

JOHN BOWMAN,
Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment have had under consideration Assembly Bill No. 131: An Act to amend an Act entitled "An Act to authorize the County Commissioners of the several counties of this State to build or purchase buildings suitable for county purposes," approved March 10th, 1865.

Also, Assembly Bill No. 296: An Act to repeal section thirteen of the Act entitled "An Act to provide for the registration of the names of electors, and to prevent fraud at elections," and found them correctly enrolled.

Also, Assembly Bill No. 248: entitled "An Act to provide for payment of the outstanding indebtedness of Churchill County," and find the same correctly enrolled, and have this day presented the same to the Governor for his approval.

Respectfully,
H. A. WILLARD,
Chairman.

Mr. Speaker:

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 275: entitled An Act to repeal section thirteen of the Act entitled "An Act to provide for the registration of voters."

Also, Assembly Bill No. 201: entitled "An Act providing for the better enforcement of the revenue laws."

Also, Assembly Substitute for Senate Bill No. 68: entitled "An Act to admit to probate a certain paper, purporting to be the last will and testament of Henry Sticknoth."

Also, Assembly Bill No. 220: entitled "An Act to provide for the properly taking care of the indigent insane of the State of Nevada," and have this day presented the same to the Governor for his approval.

Respectfully, etc.,
H. A. WILLARD,
Chairman.

Mr. Speaker:

Your Standing Committee on Ways and Means, to which was referred Senate Bill No. 257: entitled "An Act for the relief of Matt Rinckle,"

have had the same under consideration, and report the same back without recommendation.

Respectfully,
J. A. SAVAGE,
Chairman.

By Mr. Potter:

Resolved, That the thanks of this House are hereby tendered to the Hon. R. E. Lowery, Speaker of the Assembly of the State of Nevada, for his gentlemanly and courteous deportment toward members of the House, and for his efficient and impartial conduct as presiding officer of the same.

Resolved, That the thanks of this House be, and are hereby, tendered to Hon. T. J. Tennant, the Speaker *pro tem.*, for the able and courteous manner in which he has discharged his duties in such capacity.

Resolved, That the thanks of this House be, and are hereby, tendered to the chief clerk, assistant and other clerks, for the efficient and able manner in which they have discharged their duties; also to the attaches of this House for their courteous deportment and manifest attention to all the duties pertaining to their several positions.

Unanimously adopted.

Mr. Speaker :

Your Standing Committee on Enrollment beg leave to report that they have had under consideration Assembly Bill No. 232, entitled an Act to amend an Act entitled "An Act relative to Attorneys and Counselors at Law."

Also, Assembly Bill No. 223, entitled "An Act to authorize and empower the County Commissioners of White Pine County to provide for the re-indexing of certain records of said county."

Also, Assembly Bill No. 69, entitled an Act to amend an Act entitled "An Act to provide revenue for the support of the government of the State of Nevada," and find the same to be correctly enrolled, and have this day presented the same to the Governor for his approval.

H. A. WILLARD,
Chairman.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly :

I have the honor herewith to return to your honorable body, Assembly Concurrent Resolution No. 269, relative to the establishment of a weekly mail service from Elko to Tuscarora, Nevada, the same having this day been concurred in by the Senate, by the following vote: Yeas, 19; nays, 0.

Also, to inform your honorable body that Senators Hill and Phelan have been appointed a committee in compliance with concurrent resolution relative to joint committee, to wait on his Excellency the Governor.

Also, to return to your honorable body, Assembly Bill No. 226: an Act to amend an Act entitled "An Act to create counties and establish the boundaries thereof," approved November 25th, 1861, which was this day indefinitely postponed by the Senate, by the following vote: Yeas, 12; nays, 11.

Also, to return to your honorable body, Assembly Bill No. 229: an Act to amend an Act entitled "An Act to provide revenue for the support of

the government of the State of Nevada," the same having this day passed the Senate, by the following vote: Yeas, 12; nays, 5.

Also, to return to your honorable body, Assembly Bill No. 223: "An Act to authorize the County Commissioners of White Pine County to provide for the re-indexing of certain records of said county," which has this day passed the Senate, by the following vote: Yeas, 19; nays, 4.

Respectfully,

FRANK BUTLER,

Assistant Secretary Senate.

On motion of Mr. Potter, the House took a recess for twenty minutes. House met pursuant to adjournment.

Speaker Lowery in the chair.

Roll called. Quorum present.

STATE OF NEVADA, SENATE CHAMBER, }
CARSON CITY, March 2d, 1871. }

To the Honorable the Assembly:

I have the honor herewith to return to your honorable body Assembly Concurrent Resolution No. 277: "Relative to granting leave of absence to J. A. Curtis, Assessor of Lincoln County," the same having been concurred in by the Senate by the following vote: Yeas, 16; nays, 0.

Respectfully,

F. BUTLER,

Assistant Secretary Senate.

On motion of Mr. Tennant the Sergeant-at-Arms was instructed to take charge of the Assembly Chamber until 12 o'clock, March 4th.

Mr. Speaker:

The Standing Committee on Enrollment have had under consideration the following Assembly Bills: Nos. 23, 269, 187, 253, report the same back, as being correctly enrolled.

H. A. WILLARD,

Chairman.

By Mr. Owen:

Resolved, That a vote of thanks be tendered to the people of Carson for the very hospitable manner they have treated the Legislature.

Adopted.

By Mr. Tennant:

Resolved, That a vote of thanks be tendered to the Rev. J. D. Hammond for his short, but impressive, prayers.

Adopted.

At 12 o'clock, midnight, the Speaker announced that the House adjourned *sine die*.

ROBERT E. LOWERY,
Speaker.

Attest:

GEO. W. CASSIDY, Clerk Assembly.

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